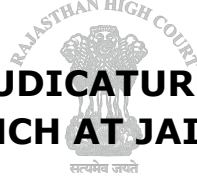


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 15865/2025

1. Maksood S/o Habib Ahmed Khatri, Kayamkhani R/o Mohalla Khatriyan Jhunjhunu.
2. Khursheed Ahmed S/o Habib Ahmed Khatri, Kayamkhani R/o Mohalla Khatriyan Jhunjhunu.
3. Vahid S/o Habib Ahmed Khatri, Kayamkhani R/o Mohalla Khatriyan Jhunjhunu.
4. Habib Ahmed S/o Late Yasin Khan, Kayamkhani Musalman R/o Mohalla Khatriyan Ward No. 34 Jhunjhunu Tehsil And District Jhunjhunu.

-----Petitioners

Versus

1. Hajra W/o Asgar Khan, Kayamkhani Musalman, R/o Presently Ward No. 23 Moyal Colony Jhunjhunu Daughter, Late Vajiri D/o Late Kalu Khan R/o Jhunjhunu Through Power Of Attorney Ramswaroop S/o Laduram, R/o Mohalla Nagarpura Ward No. 20, Jhunjhunu Tehsil And District Jhunjhunu.
2. Aladeen Khan, S/o Late Yasin Khan Kayamkhani Musalman R/o Mohalla Khatriyan Ward No. 34 Jhunjhunu Tehsil And District Jhunjhunu.
3. Nseer Ahmed, S/o Late Yasin Khan Kayamkhani Musalman R/o Mohalla Khatriyan Ward No. 34 Jhunjhunu Tehsil And District Jhunjhunu.
4. Hamid Ahmed Salmer, S/o Late Yasin Khan Kayamkhani Musalman R/o Mohalla Khatriyan Ward No. 34 Jhunjhunu Tehsil And District Jhunjhunu.
5. Yunus Ali Khatri, S/o Aladeen Khan Kayamkhani Permanent Address Mohalla Khatriyan Jhunjhunu At Present 601 Makka Tower Gavtan Lane Number 1 Andheri West Mumbai.
6. Ishak Khatri, S/o Aladeen Khan Kayamkhani Permanent Address Mohalla Khatriyan Jhunjhunu At Present 601 Makka Tower Gavtan Lane Number 1 Andheri West Mumbai.
7. Khadeem Khatri, S/o Aladeen Khan Kayamkhani

Permanent Address Mohalla Khatriyan Jhunjhunu At Present 601 Makka Tower Gavtan Lane Number 1 Andheri West Mumbai.

8. Jubeda D/o Naseer Ahmed, Kayamkhani R/o Jhunjhunu.
9. Abdul Shamim Khatri, S/o Naseer Ahmed Khan Kayamkhani R/o Mohalla Khatriyan, Jhunjhunu.
10. Shokat Ali, S/o Naseer Ahmed Khan Kayamkhani R/o Mohalla Khatriyan, Jhunjhunu.
11. Mohammed Salim Khatri, S/o Naseer Ahmed Khan Kayamkhani R/o Mohalla Khatriyan, Jhunjhunu.
12. Mohammed Umar Khatri, S/o Naseer Ahmed Khan Kayamkhani R/o Mohalla Khatriyan, Jhunjhunu.
13. Bilkish D/o Hamid Khan, Kayamkhani R/o Jhunjhunu.
14. Mohammed Idreesh Khatri, R/o Mohalla Khatriyan, District Jhunjhunu.
15. Sohel Khatri S/o Hameed Khan Khatri, R/o Mohalla Khatriyan, District Jhunjhunu.
16. Sharifan Bano D/o Yasin Khan, Kayamkhani Khatri R/o Jhunjhunu.
17. State Of Rajasthan, Through Tehsildar Tehsil And District Jhunjhunu.
18. Sub Registrar Jhunjhunu, Sub Registrar Office Jhunjhunu District Jhunjhunu.
19. Nagar Parishad Jhunjhunu, Through Commissioner, Nagar Parishad Jhunjhunu.

----Respondents

For Petitioner(s) : Mr. Ved Pal Shastri, Adv.
For Respondent(s) : -

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

13/10/2025

1. Learned counsel for the petitioners submits that the respondent No.1 filed a suit against the present petitioners and

respondent No.2 to 16 for declaration, permanent injunction and dispossession, before Sub Divisional Officer, Jhunjhunu (hereinafter referred as learned 'trial Court') wherein, vide order dated 20.11.2017, the same was dismissed by the learned trial Court on the basis of the suit being time barred and without disclosing any cause of action. Against the order dated 20.11.2017 passed by learned trial Court, respondent No.1 preferred an Appeal No.1/2018, which was dismissed vide order dated 30.04.2018 passed by Revenue Appellate Authority Sikar (hereinafter referred as 'learned Appellate Court'). Against the order dated 30.04.2018 passed by learned Appellate Court, respondent No.1 preferred TA Appeal No.3421/2018 before the learned Board of Revenue, Ajmer(herein after referred to as 'learned Board'), wherein vide order dated 21.08.2025, the learned Board while partly allowing the appeal, quashed the judgment passed by learned trial Court and directed the trial Court to decide the suit afresh.

2. Learned counsel for the petitioners further submits that the order of the learned Board is against the law and facts, therefore, the same be quashed.
3. Heard learned counsel for the petitioners.
4. The matter requires consideration.
5. Issue notice of the main petition as well as stay application to the respondents by both modes i.e. by ordinary course as well as by registered post, returnable within six weeks. It is made clear that if requisites will not be filed within the time stipulated then this order shall lose its efficacy.
6. Requisites be filed within a period of one week.

7. List the matter after six weeks.
8. Till the next date of hearing, the effect and operation of the order dated 21.08.2025 passed by Board of Revenue, Ajmer shall remain stayed.

(ASHUTOSH KUMAR),J

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