

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

S.B. Civil Writ Petition No. 16087/2025

Mohan Singh Son of Late Shri Madho Singh and Ors.

-----Petitioners

Versus

Smt. Kailadevi, Wife of Late Shri Rajendra Prasad and Ors.

-----Respondents

For Petitioner(s) : Ms. Meenal Bhargava

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

30/10/2025

1. The present writ petition has been filed by the petitioners, assailing the validity of the compromise dated 22.05.2024 as well as the order passed by the Lok Adalat dated 13.07.2024.
2. Learned counsel for the petitioners submits that in the main suit, when the case was listed on 08.05.2024, the counsel for the plaintiff sought time to file a reply to the application filed under Order 9 Rule 7 of the Code of Civil Procedure, 1908, by the petitioners, and the matter was adjourned to 31.07.2024. Thereafter, without due notice to the petitioners, the plaintiff-respondent moved an application under Section 151 for preponing the date of hearing, upon which not only was the date of hearing preponed, but while playing fraud upon the petitioners, a compromise was presented before the learned Trial Court and based upon the said compromise dated 22.05.2024, the learned Lok Adalat has withdrawn the main suit vide order dated 13.07.2024.

3. Learned counsel further submits that the counsel representing the petitioners in the Trial Court has committed fraud and filed the said compromise without any consent or knowledge of the petitioner, against which the petitioners have also initiated a complaint against the said counsel before the Bar Council of Rajasthan. He also submits that the learned Trial Court is bent upon dispossessing the petitioners, even though no decree of possession or mandatory injunction order has been passed vide order dated 13.07.2024.

4. Heard.

5. In that view of the matter, issue notice to the respondents, returnable by eight weeks.

6. In the meanwhile, the Executing Court is directed not to dispossess the petitioners in furtherance of the execution of the order dated 13.07.2024.

(MANEESH SHARMA),J

SOURAV /2