

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16860/2025

1. Smt. Shanta Devi Alias Shanti Devi W/o Late Shri Nemi chand Shrimal, Aged About 81 Years
2. Vinod Kumar S/o Late Shri Nemichand Shrimal, Aged About 48 Years
Both are Resident Of Behind Lodha School, Vitthal Basti, Outside The Nehru Gate, Beawar.

-----Petitioners

Versus

1. Parasmal S/o Late Shri Sualal Gothi, R/o House No. 2, Band Upasara Gali, Naya Baas, Beawar.
2. Smt. Manju Kothari D/o Late Shri Nemichand Shrimal, W/o Late Shri Premchand Kothari, R/o Kothari Niwas, Property No. 49, Behind Aakashwani, Near Guru Kirana, Vishnu Nagar, Aurangabad, Maharashtra.
3. Smt. Madhu Lodha D/o Late Shri Nemichand Shrimal W/o Suresh Chand Lodha (Since Deceased), Through LR's -
 - 3/1. Smt. Ashika Jain W/o Sandeep Kothari D/o Late Shri Suresh Chand Lodha, R/o Leela Sadan, Kankariya Pole, Near Beeramdev Chowk, Jalore.
 - 3/2. Smt. Sejal W/o Shubham Nahar D/o Late Shri Suresh Chand Lodha, R/o Property No. 40, Muni Pushkar Colony, Madanganj, Kishangarh.
 - 3/3. Vikas Lodha S/o Late Shri Suresh Chand Lodha, R/o Property No. 11, Gali No. 3, Moti Vihar, Pancholi Chauraha, Ram Nagar, Ajmer.
4. Smt. Sangeeta Lodha D/o Late Shri Nemichand Shrimal, W/o Shanti Lal Lodha, R/o Munim Colony, Vijay Nagar, District Beawar.
5. Smt. Suman Ranka D/o Late Shri Nemichand Shrimal W/o Shri Jitendra Ranka, R/o Ganesh Talai, Khandwa, M.P.
6. Smt. Chandu Alias Chanda Mugadia D/o Late Shri Nemi chand Shrimal W/o Moolchand Mugadia, R/o Bungalow No. 7, Kandiwali, Gokuldharm Society, Saibaba Nagar, Boriwali (West), Mumbai.

-----Respondents

For Petitioner(s)	:	Mr. Yogesh Kumar Sharma
For Respondent(s)	:	Mr. Dinesh Kumar Garg

HON'BLE MR. JUSTICE MANEESH SHARMA

13/11/2025

1. The present writ petition has been filed by the petitioners under Article 227 of the Constitution of India, assailing the impugned order dated 04.10.2025 passed by the learned Rent Appellate Tribunal, Ajmer, in Rent Appeal (CIS) No. 12/2024, titled '*Smt. Shanta Devi & Anr. vs. Parasmal & Ors.*', whereby the appeal filed by the petitioners was dismissed, and the order and recovery certificate dated 28.11.2023 passed by the learned Rent Tribunal, Beawar, District Ajmer, in Rent Application No. 51/2019 (CIS No. 46/2019), titled '*Parasmal vs. Shanta Devi & Ors.*' was upheld, whereby the application of the respondent/landlord under Sections 9(1) and 15 of the Rajasthan Rent Control Act, 2001, was allowed and the petitioners/tenant were directed to vacate the tenanted premises.

2. Learned counsel for the petitioners-tenants, upon instructions of his clients, submits that the petitioners do not wish to press the present writ petition on merits, and would be satisfied if they are granted reasonable time of two (2) years to vacate the tenanted premises.

3. Learned counsel for the respondent-landlord, upon instructions from his client, submits that he has no objection if the time prayed for by the petitioners-tenants, to vacate the tenanted premises, is granted.

4. Heard.

5. In view of the above, and with the mutual consent of the parties, this civil writ petition is disposed of with the following directions:

"(i) The petitioners shall be entitled to continue in possession of the suit premises until 31.10.2027, but not beyond, on the condition that the petitioners shall hand over vacant and peaceful possession of the premises to the respondent on or before that date i.e. 31.10.2027.

(ii) From 01.11.2025 onwards until the date of actual vacation, the petitioners shall pay or deposit the mesne profits at the rate of Rs. 25,000/- per month in the respondent's bank account by the 15th day of each month.

(iii) The petitioners shall not sublet, create any third-party rights, or hand over possession of the tenanted premises to any other person.

(iv) If the petitioners fail to deposit the mesne profits for two (2) consecutive months, the respondent shall be entitled to execute the decree without further reference of this Court.

(v) The petitioners shall submit an undertaking duly supported with an affidavit, incorporating the above conditions, before the learned Rent Tribunal within four weeks from the date of this order. Non-compliance or breach of any condition mentioned hereinabove shall empower the respondent to execute the decree immediately and take possession of the premises in accordance with law.

(vi) If the petitioners fail to vacate the premises by 31.10.2027, the respondent may initiate contempt proceedings for breach of undertaking or non-compliance."

6. Accordingly, the present civil writ petition stands disposed of, with the aforesaid directions.

7. The stay application and all other pending applications, if any, also stand disposed of as not pressed.

(MANEESH SHARMA),J