

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Second Appeal No. 494/2025

Jagdish Prasad S/o Kanhaiyalal & Ors.

----Appellants

Versus

Basanti Devi W/o Godaram & Ors.

----Respondents

For Appellant(s)	:	Mr. Vinod Kumar Tamoliya
For Respondent(s)	:	

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

13/11/2025

Appellants-plaintiffs' suit for declaring their easementary right on the way in question was decreed by Civil Judge & Judicial Magistrate (Jr. Div.), Thanagazi, District Alwar, vide judgment dated 18.02.2014, however, on filing first appeal thereagainst, decree has been set aside by the first appellate Court, vide judgment dated 28.08.2025, whereagainst plaintiffs have preferred this second appeal.

Counsel for appellants states that the way in question exists in site and in regular use of the appellants. The first appellate Court committed perversity and jurisdictional error in reversing the decree.

Issue notice of appeal as also of stay application to respondents-defendants.

Record of Courts below be summoned.

In the meanwhile, status quo in respect of way in question as it exists today shall be maintained by parties.

(SUDESH BANSAL),J