

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 95/2024

Lalaram Meena @ Lalluram Meena S/o Kalyan Meena

----Appellant

Versus

Gopal S/o Kalyan Meena, & Ors.

----Respondents

For Appellant(s) : Mr. Girraj Prasad Gadhwal

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

23/02/2026

1. The present first appeal has been filed by the appellant assailing the order dated 02.09.2023 passed by the learned Additional District and Sessions Judge No.10, Jaipur Metropolitan-I, (Headquarter Sanganer) in Civil Suit No.95/2022 (CIS No.86/2022) titled as '*Lalaram Meena @ Lalluram Meena vs. Gopal & Ors.*', whereby the suit for partition, declaration and permanent injunction filed by the appellant, was rejected and the application filed by the respondents under Order 7 Rule 11 of CPC, was allowed.

2. Learned counsel for the appellant submits that prior to filing of the said suit, the appellant herein has filed a suit for partition before the learned Sub-Divisional Officer, Jaipur-II (Sanganer), Jaipur and the said suit was rejected vide order dated 18.08.2021 under Order 7 Rule 11 of CPC on the ground that the land has been converted from agriculture to residential and when the present suit was filed before the Civil Court, the said civil suit has again been rejected on the ground that the present suit pertains

to an agriculture land which can be tried by the Revenue Court. He therefore submits that in view of the contradictory orders, the impugned order dated 02.09.2023 may kindly be set aside.

3. Heard.

4. In view of the above, issue notice to the respondents, returnable within four weeks.

5. Let record of the Court below be summoned.

6. List this matter after four weeks.

(MANEESH SHARMA),J