

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 20667/2023

Vinod Kumar S/o Sh. Omprakash, Aged About 67 Years, Resident
Of Presently Business At Mori Char Bagh, Bharatpur, Raj.

-----Petitioner

Versus

1. Ghanshyamdas S/o Late Sh. Shital Prasad, Resident Of
Mori Char Bagh, Bharatpur, Raj. (Deceased).
1/1 Smt. Saroj Devi, W/o Late Sh. Ghanshyamdas
1/2 Dayashankar Major, S/o Late Sh. Ghanshyamdas
1/3 Anand Kumar S/o Late Sh. Ghanshyamdas,
Resident Of 161, Swarn Jayanti Nagar, Bharatpur, Raj.
1/4 Smt. Sweta W/o Sh. Yogesh D/o Late Sh.
Ghanshyamdas, Resident Of Tijara, Alwar, Raj.
1/5 Smt. Rekha W/o Sh. Rajesh D/o Late Sh.
Ghanshyamdas, Resident Of Kota, Raj.
1/6 Smt. Rachna W/o Sh. Krishna D/o Late Sh.
Ghanshyamdas, Resident Of Gurgaon, Haryana.
2. Jogendra Kumar S/o Late Sh. Shital Prasad, Aged About
68 Years, Resident Of Mori Char Bagh, Bharatpur, Raj.

-----Respondents

For Petitioner(s) : Mr. Mukesh Kumar Goyal

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

14/08/2024

1. Learned counsel for the petitioner submits that additional pleadings cannot be raised under the garb of rejoinder. It is submitted that new documents and facts have been added by the respondents in Rent Petition No. 89/2015 by way of filing amended rejoinder before learned Civil Judge and Additional Chief Judicial Magistrate, Bharatpur (Raj.). It is submitted that no

additional facts can be added in the rejoinder beyond the written statement and respondents cannot be allowed to raise additional facts.

2. Matter requires consideration.

3. Issue notice to respondents, through both the process, returnable on next date of hearing. Requisites be filed within a period of one week, failing which, this petition shall stand dismissed without any further reference to the bench.

4. Notice of ordinary process be given 'Dasti' to the counsel for the petitioner.

5. If the requisites are filed within given time, list this matter after six weeks. Till the next date of hearing, learned Civil Judge and Additional Chief Judicial Magistrate, Bharatpur (Raj.) shall not pass the final verdict in Rent Petition No. 89/2015.

(ANIL KUMAR UPMAN),J