

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 5193/2025

Surajkaran S/o Shri Jivanram

----Appellant

Versus

Rameshwar S/o Shri Bhaurilal

----Respondent

For Appellant(s) : Mr. Praveen Kumar Jain

For Respondent(s) :

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

11/12/2025

1. The present appeal has been filed against the order dated 18.11.2025, whereby the temporary injunction application in the suit for specific performance has been rejected by the learned Trial Court.

2. It is contended by learned counsel for the appellant that an agreement was entered between the parties for purchase of land in dispute for consideration of Rs.64,51,000/-.

3. It is further contended that initially the amount of Rs.1,01,000/- was paid. Thereafter, the amount of Rs.4,25,000/- was paid. Some of the payments were made through Cheques. He contends that defendant has not disputed the agreement to sell. He further contends that learned Trial Court on the ground that balance consideration has not been paid on the date mentioned in the agreement, temporary injunction application has been rejected.

4. He further contends that the reasons for non payment, whether it is on account of the plaintiff or the defendant, were required to be decided at the stage of framing of issues.

5. Heard.

6. Let notices be issued to the respondent. Rule is made returnable within four weeks.

7. List this matter after six weeks.

8. In the meantime, respondent is restrained from alienating or creating any third party interest in the disputed property.

(BIPIN GUPTA),J

MAHIMA/8