

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 20519/2025

1. Laxman Prasad Verma S/o Shri Gopalram Verma, Aged About 67 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.
 2. Nemichand S/o Gopalram, Aged About 61 Years, R/o Zp-11, Housing Colony, Krishna Colony, Bharatpur (Since Deceased) Through Legal Heirs -
 - 2/1 Smt. Maya W/o Late Shri Nemichand, R/o Zp-11, Housing Colony, Krishna Colony, Bharatpur (Since Deceased)
 - 2/2 Rajeev S/o Late Shri Nemichand, Aged About 45 Years, R/o Zp-11, Housing Colony, Krishna Colony, Bharatpur
 - 2/3 Rahul S/o Late Shri Nemichand, Aged About 42 Years, R/o Zp-11, Housing Colony, Krishna Colony, Bharatpur
- Petitioners

Versus

1. Rambabu Sharma S/o Girraj Prasad Sharma, Aged About 78 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan (Since Deceased) Through Legal Heirs
 - 1/1 Smt. Laxmi Devi W/o Late Shri Rambabu Shurma, Aged About 80 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.
 - 1/2 Anil Kumar S/o Late Shri Rambabu Shurma, Aged About 42 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.
 - 1/3 Smt. Savitri D/o Late Shri Rambabu Sharma, Aged About 60 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.
 - 1/4 Smt. Nirmla D/o Late Shri Rambabu Sharma, Aged About 52 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan. Since Deceased Through Legal Heirs
 - 1/4/1 Jagdish Mishra Husband Nirmla, Aged About 72 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.
 - 1/4/2 Harshit Mishra S/o Jagdish Mishra, Aged About

35 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

1/4/3 Ankit Mishra S/o Jagdish Mishra, Aged About 33 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

1/4/4 Ritu Jemon W/o Umesh Jemon D/o Shri Jagdish Mishra, Aged About 41 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

1/4/5 Richa Sharma W/o Laxminarayan Sharma D/o Jagdish Mishra, Aged About 39 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

1/5 Smt. Beena D/o Late Shri Rambabu Sharma, Aged About 55 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

1/6 Smt. Manju D/o Late Shri Rambabu Sharma, Aged About 53 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

1/7 Smt. Sanju D/o Late Shri Rambabu Sharma, Aged About 51 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

1/8 Smt. Poonam D/o Late Shri Rambabu Sharma, Aged About 49 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

2. Rajjan @ Rajendra Prasad S/o Khunkhunram, Aged About 74 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

3. Sita @ Netu S/o Late Nemichand, Aged About 49 Years, R/o Zp-11, Housing Colony, Krishna Colony, Bharatpur.

4. Gora D/o Late Shri Nemichand, Aged About 44 Years, R/o Zp-11, Housing Colony, Krishna Colony, Bharatpur

5. Vasdev Soni S/o Motilal, Aged About 47 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan Since Deceased Through Legal Heirs

5/1 Smt. Sunita W/o Late Shri Vasdev, Aged About 52 Years, R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

5/2 Sonu S/o Late Shri Vasdev, Aged About 27 Years,
R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur,
Rajasthan.

5/3 Khushu D/o Late Shri Vasdev, Aged About 25 Years,
R/o Gali Bahadur Singh, Mori Char Bagh, Bharatpur,
Rajasthan.

6. Hemant Soni S/o Late Shri Subhash Chand Soni, Aged
About 31 Years, R/o Gali Bahadur Singh, Mori Char Bagh,
Bharatpur, Rajasthan.

7. Jawahar S/o Motilal, Aged About 67 Years, R/o Gali
Bahadur Singh, Mori Char Bagh, Bharatpur, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Pradeep Singh

For Respondent(s) : Mr. J.K. Moolchandani

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

26/02/2026

1. The present writ petition has been filed by the petitioners/tenants raising a challenge to the judgment dated 26.09.2025 passed by Appeal Rent Tribunal, Bharatpur (Rajasthan) in regular Rent Appeal No.8/2023 (CIS No.8/2023) titled as Laxman Prasad Verma and Others Vs. Rambabu Sharma (D) through LR(s) and Others, whereby the judgment and decree dated 09.10.2023 passed by Rent Tribunal, Bharatpur, in rent Petition No.23/2016 (CIS No.19/2016) was upheld and the appeal filed by the petitioners/tenants was dismissed.

2. Learned counsel for the petitioners/tenants upon instructions from his client submits that they are not willing to press the present writ petition on merits and confine their prayer to the limited extent that the tenants be granted a reasonable time up to

28.02.2028 to vacate the tenanted premises as mentioned in para 3 of the Rent Petition No.23/2016, being a two-storey building situated in Bahadur Singh ki Gali, Mori Char Bagh, Bharatpur.

3. Learned counsel for the respondents/landlords, upon instructions from his client submits that he has no objection to grant of such time, as prayed by the tenants to vacate the tenanted premises.

4. Heard the submissions made at bar.

5. In view of the above and with the mutual consent of the parties, the present writ petition stands disposed of with the following directions:-

(i) The tenants shall be entitled to continue in possession of the tenanted premises till 28.02.2028, but not beyond, subject to the condition that the tenants shall hand over vacant and peaceful possession of the premises to the respondents/landlords on or before 28.02.2028.

(ii) From 01.03.2026 onwards, till the date of actual vacation, the tenants shall continue to pay an amount of Rs.5,000/- per month towards mesne profits in the bank account of respondents/landlords by the 15th day of the succeeding month.

(iii) In terms of the orders dated 26.09.2025 and 09.10.2023, the respondents/landlords have to make a payment of Rs.25,000/- to the tenants. However, considering the fact that an amount of Rs.855.50 is due towards arrears of rent to be paid by the tenants to the respondents/landlords, the balance amount of Rs.24,144.50

be paid by the respondents/landlords to the tenants on or before 31.03.2026.

(iv) The tenants shall not sublet, create any third party rights or hand over possession of the tenanted premises to any person whatsoever. In the event the tenants fail to deposit mesne profits for two consecutive months, the respondents/landlords shall be free and entitled to seek execution of the decree without further reference to this Court.

(v) The tenants 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 receipt of this order. Non-compliance or breach of any of the conditions mentioned hereinabove shall empower the respondents/landlords to execute the decree immediately and take possession of the tenanted premises in accordance with law.

(vi) In the event, the tenants fail to vacate the premises by 28.02.2028, the respondents/landlords would be well within their rights to initiate appropriate contempt proceedings for breach and non-compliance of the undertaking.

6. Pending application(s), if any, stands disposed of.

(ANUROOP SINGHI),J