

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 144/2026

Raghuveer Singh Lohia Son Of Late Tehal Singh Lohia & Ors.

----Appellants

Versus

Naresh Kumar Lohia Daughter Of Late Tehal Singh Lohia & Ors.

----Respondents

For Appellant(s) : Mr. Ajeet Bhandari, Sr.Adv. with
Mr. Vaibhav Bhargava

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

13/02/2026

1. The present civil first appeal has been filed by the appellants, assailing the impugned order dated 26.11.2025 passed by learned Additional District Judge, Laxmangarh (Alwar), in Civil Suit No.39/2024, CIS No.35/2024, titled as '*Raghuveer Singh Lohia & Ors. Vs. Naresh Kaur Lohia & Ors.*', whereby the respondents' application under Order 7 Rule 11 of the Code of Civil Procedure, 1908, was allowed, and the appellants' suit for partition was dismissed on the ground that the appellants have no cause of action on account of the probate order dated 31.01.2024.

2. Learned counsel for the appellant submits that the learned Trial Court has erred in allowing the application filed by the respondents under Order 7 Rule 11 of the Code of Civil Procedure, 1908, while not considering the fact that the appellant has preferred an appeal against the probate order dated 31.01.2024, granted by the learned Additional District Judge, Laxmangarh (Alwar), and the same is pending before this Court. Therefore, the said finding is still sub-judice.

3. Heard.

4. Let record of the learned Court below be summoned.
5. Requisition be given '*dasti*' to the learned counsel for the appellant.
6. List the matter after two weeks, soon after receiving the record.

(MANEESH SHARMA),J

Seema/15