

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 1176/2026

Jahir Ahmad S/o Late Shri Noor Mohammad

-----Petitioner

Versus

Wakf Committee

-----Respondent

For Petitioner(s) : Mr. Syed Saadat Ali
Mr. Nadeem Qadeer
Ms. Aafreen Rizvi
Ms. Uzma Ilyas
Ms. Saziya Khan

For Respondent(s) :

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

12/02/2026

1. The present writ petition has been filed assailing the order dated 17.11.2025, passed by learned Additional Civil Judge and Judicial Magistrate, No.4, Jaipur Metropolitan II, whereby the objections filed by the judgment-debtor under Section 47 read with Section 141 and 151 CPC has been dismissed.

2. It is further contended by learned counsel for the petitioner that in the year 1994, when the compromise was entered, the shops existed on the ground floor and the masjid existed on the first floor. The compromise was entered to the effect that a *gali* would be left so as to avoid any inconvenience to the masjid with regard to its ventilation and the water outlets.

3. He further submits that at that point of time, the shops and house existed on the ground floor and there was no decree to the effect that the shops or house on the ground floor will be

demolished and a *gali* will be left. He submits that however, now the learned Executing Court is going behind the compromise decree and is bent upon to demolish the ground floor shops and house of the petitioner situated at the ground floor.

4. Heard.

5. Let notices be issued to the plaintiff-respondent No.1. Rule is made returnable within four weeks.

6. In the meanwhile, further proceedings in the execution petition No.7/2006 (6106/14) pending before the Court of Additional Civil Judge and Judicial Magistrate, No.4, Jaipur Metropolitan II, shall remain stayed till the next date of hearing.

7. This order will come into effect only after service on the respondent is complete.

8. List this matter after four weeks.

(BIPIN GUPTA),J