

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAI PUR

ORDER
IN
S. B. Civil Writ Petition No. 4826/2015
With
Stay Application No. 4324/2015

Smt. Vimla Devi Kumawat Vs. Rajesh
yadav and Others

Date of Order :::: 30.04.2015

Present
Hon'ble Mr. Justice Mohammad Rafiq

Shri Anshuman Saxena, counsel for petitioner
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By the Court: -

Petitioner is aggrieved of order dated 24.03.2015 passed by Learned Additional District Judge, Chomu, District Jai pur, in Civil Miscellaneous (Temporary Injunction) Application No. 06/2015, whereby the court below has declined oral prayer of the petitioner to restrain further sale and development of land in question.

Learned court below, in the impugned order, has observed that the sale deed with regard to the disputed property has been executed and registered in favour of the respondents and that the land has already been mutated in their favour and the petitioner has filed the suit for cancellation of the sale-deed on the ground of non-payment of sale-consideration, whereas the fact is that part payment of sale-consideration has already been made to the petitioner and payment of remaining amount is stated to be made through cheque, but the cheque

has been dishonoured on account of difference in signatures. In view of above, Learned court below has rightly declined to issue any temporary injunction in favour of petitioner on her oral request, as the same shall be considered at the time of final disposal of temporary injunction application.

In the result, writ petition is dismissed. Stay application is also dismissed.

However, Learned court below is directed to decide the main application for temporary injunction within a period of three months from the date next fixed before it.

(**Mohammad Rafiq**) J.

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All corrections made in the judgment/order have been incorporated in the judgment/order being emailed.

Giriraj Prasad Jaiman
PS-cum-JW