HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 21533/2026
CNR: RJHC021031182026 | URN: CW / 45223U / 2026

Shri Phanishwar Sharma S/o Shri Shamshre Singh, aged about 61 Years, R/o Jaipur Metro, Tonk Phatak, Barkat Nagar, Plot No. 583, Jaipur.

----Applicant/Plaintiff/Petitioner

Versus

Shri Bhawani Singh Shekhawat S/o Jeevraj Singh Shekhawat, Aged About 64 Years, Jaipur Metro, Vaishali Nagar, Second Swenue- Gomes, Defence Colony, Plot No. 239, Jaipur.

----Non-Applicant/Defendant/Respondent

For Petitioner(s) : Mr. Sukhdev Singh Solanki

HON'BLE MR. JUSTICE ANAND SHARMA

Order

27/10/2026

1. The instant writ petition under Article 227 of the Constitution of India has been filed by the petitioner against order dated 13.08.2026 passed by the Additional Senior Civil Judge No.9, Jaipur Metropolitan-Ist, Jaipur, whereby application under Order 7 Rule 14(3) CPC filed by the petitioner has been dismissed.

2. It is stated that although the suit was filed by the petitioner-plaintiff in the year 2012. However, after filing of the suit the petitioner obtained certified copy of registered sale deed from the Office of Sub-Registrar on 10.06.2026 as well as also obtained copy of Lions Lane Scheme map under Right to Information Act, 2005, on 05.06.2026 and certain photographs of property-in-dispute were also taken on 22.06.2026. Since such documents were not on record, therefore, the petitioner filed an

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application under Order 7 Rule 14(3) CPC for placing these documents on record.

3. Learned counsel for the petitioner submits that the trial Court has dismissed the application vide order dated 13.08.2026 in quite cursory manner without examining the contents of the application, relevance of the documents and admissibility thereof. It is also submitted by learned counsel for the petitioner that, in case, the documents sought to be produced along with application are not taken on record, the same would cause grave prejudice and miscarriage of justice to the petitioner.

4. Heard learned counsel for the petitioner and perused the record.

5. It is undisputed fact that suit was filed by the petitioner on 19.05.2012. Thereafter, written statement was filed by the defendants and issues have been framed by the trial Court. Thereafter plaintiff's evidence has started and his cross-examination is underway. No justified reason whatsoever has been mentioned by the petitioner-plaintiff for not placing such documents earlier before the trial Court either along with plaint or before settlement of issues. It is also not the case of the petitioner that he was not aware of the documents earlier to filing of application under Order 7 Rule 14(3) CPC.

6. This Court finds that trial Court has committed no mistake in passing order dated 13.08.2026 in order to dismiss the application filed by the petitioner. Learned counsel for the petitioner has utterly failed to point out any apparent illegality or perversity in discretionary order dated 13.08.2026 passed by the learned Court below. Under these circumstances, there is no scope

of interference under Article 227 of the Constitution of India and the writ petition filed by the petitioner is hereby dismissed.

7. Pending application(s), if any, stand(s) disposed of.

(ANAND SHARMA),J

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