

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 241/2024

Kishore Kumar Karan Kumar H.U.F., Through Karta Shri Kishore Kumar Son Of Shri Daudayal @ Daudayal Tank, Resident Of 316, Gali Nmo. 07, Udai Marg, Rajapark, Jaipur Karyalya Office Number 8 And 9, Golachha Cinema Ke Samne, Chaura Rasta, Jaipur (Raj).

-----Defendant No.1/Petitioner

Versus

1. Smt Meenu Parihar Wife Of Shri Sanjay Parihar, Resident Of 10, West Patel Nagar, Circuit House Road, Jodhpur(Raj).

Plaintiff/Respondent

2. Shri Kishore Kumar Tank Son Of Shri Daulal @ Daudayal Tank, Resident Of 316, Gali No. 07, Udai Marg, Rajapark, Jaipur Karyalya Office Number 8 And 9, Golechha Cinema Ke Samne, Chaura Rasta, Jaipur (Raj).
3. Shri Rajveer Singh Son Of Shri Karan Singh, Aged About 7 Years, Through Natural Guardian Father Shri Karan Singh Son Of Shri Kishore Kumar Tank.resident Of 316, Gali No. 07, Udai Marg, Rajapark, Jaipur Karyalya Office Number 8 And 9, Golechha Cinema Ke Samne, Chaura Rasta, Jaipur (Raj).
4. Sent Bank Home Finance Ltd., Registered Office 09, Arena Hills, Mother Teresa Road, Bhopal M.p. Through Authorized Officer.
5. Branch Manager, Sent Bank Home Finance Ltd. Resident Of F-04 (F-104), First Floor, Sangam Tower, Church Road, Jaipur 302001.

-----Proforma Respondents

For Petitioner(s)	:	Mr. Sunil Kumar Saini
For Respondent(s)	:	Mr. Mudit Singhvi for Mr. Vineet Mehta Mr. Yuvraj Singh

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

Order

29/01/2024

Shri Mudit Singhvi, learned counsel appears for respondent No.1. Service on respondent No.2 and 3 is dispensed with as prayed by learned counsel for the petitioner being proforma respondents.

This civil writ petition, which has been filed assailing the legality and validity of the order dated 05.12.2023 passed by learned Additional District and Sessions Judge No.7, Jaipur Metropolitan-I (for brevity, "learned trial Court"), is being disposed of in following terms as agreed and requested by the learned counsels for the respective parties:

1. Order dated 05.12.2023 passed by the learned Additional Sessions Judge No.7, Jaipur Metropolitan-I in Suit No.81/2019, CIS No.552/2019 is quashed and set aside.
2. The petitioner/defendant is granted one more opportunity to cross-examine the PW-2, Shri Sanjay Parihar either on the next date fixed before the learned trial Court or within a period of two weeks thereafter, if the learned trial court so directs,
3. The aforesaid opportunity is subject to payment of a cost of Rs.25,000/- by the petitioner to the plaintiff-respondent No.1.

(MAHENDAR KUMAR GOYAL),J

Gaurav Kumar/6