

(2023) 07 RAJ CK 0098

In the Rajasthan High Court

Case No : ??Civil Revision Petition No. 14 Of 2020

State Of Rajasthan And Others

APPELLANT

Vs

Narpendra Prakash Sharma And Others

RESPONDENT

Date of Decision : 28-07-2023

Acts Referred:

Code Of Civil Procedure, 1908 — Order 21 Rule 97, Order 21 Rule 99, Order 21 Rule 101

Limitation Act, 1963 — Section 5

Citation : (2023) 07 RAJ CK 0098

Hon'ble Judges : Rekha Borana, J

Bench : Single Bench

Advocate : L.K. Purohit, Mahesh Thanvi, Avya Gupta, Rajat Dave

Final Decision : Dismissed

Judgement

Rekha Borana, J

1. The present revision petition is reported to be barred by 51 days.
2. An application under Section 5 of the Limitation Act has been filed for condonation of delay.
3. For the reasons stated in the application, the same is allowed. The delay in filing the present revision petition is condoned.
4. The present revision petition has been preferred against order dated 15.07.2019 passed by Civil Court, (JD) North Udaipur whereby the objections as preferred by petitioner-State and Commissioner, Devasthan Department under Order 21 Rules 97, 99, 101 of the Code of Civil Procedure had been rejected.
5. Vide the objections, the State authorities prayed for staying of the warrant of possession as issued in favour of respondent No.1-Narpendra Prakash Sharma.
6. Learned counsel Mr. Mahesh Thanvi appearing for respondent No.1 submitted that the execution petition itself has finally been disposed of on 10.05.2022 and

possession of the property in dispute has been handed over by respondent Nos.2 to 10 to respondent No.1 in pursuance to the decree. A copy of the order dated 10.05.2022 reflecting the factum of handing over of possession has been placed on record today.

7. Learned counsel Ms. Avya Gupta appearing for respondent Nos.2 to 10 also admits that possession has been handed over by them to respondent No.1.

8. In view of the fact that the execution petition wherein the objections were preferred by petitioner-State has itself been decided, no cause survives in the present revision petition and the same is therefore, dismissed as having become infructuous.

9. Stay petition and all pending applications also stand disposed of.