

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 6912/2026

M/s. Jayant Builders And Developers, Near Railway Crossing,
Savena, Sector -14, Udaipur - 313001 (Rajasthan) Partner
Jayanti Lal Jain S/o Late Bhanwar Lal Jain, Aged 56 Years, R/o
Plot No. 433 Opposite Rseb Office, Near Someshwar Mahadev
Temple, 100 Ft. Road, Sector 14, Link Road, Udaipur.

-----Petitioner

Versus

1. The Regional Provident Fund Commissioner, District
Office, Chitrakoot Nagar Bhuwana, Udaipur - 313004
(Rajasthan).
2. The Regional Provident Fund Commissioner -II, Regional
Office, Chitrakoot Nagar Bhuwana, Udaipur - 313004
(Rajasthan).
3. The Canara Bank, Through Its Branch Manager, Office
Address No. 1, Bapu Nagar, Udaipur - 313001, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Dhanesh Saraswat
For Respondent(s)	:	-

HON'BLE MR. JUSTICE FARJAND ALI

Order

28/03/2026

1. After arguing to some extent, learned counsel seeks to withdraw the instant civil writ petition, but at the same time, beseeches for certain directions in light of the precarious situation and the passing of an order of recovery and attachment dated 17.03.2026 by the Regional Provident Fund Commissioner - II, Regional Office, Udaipur, in spite of the fact that the matter is pending before the Central Government Industrial Tribunal cum Labour Court, Jaipur and the next date of hearing is 30.04.2026.

2. It is the submission of learned counsel for the petitioner that the petitioner had approached the learned Tribunal well within time and diligently. It transpires from the material placed on record that notice Annex.3 had been issued on 24.09.2025. On 09.10.2025, learned counsel on behalf of the respondent appeared and a copy of the memo of appeal was provided to him. The matter was adjourned for filing of reply to the appeal and further hearing to 04.12.2025. On 04.12.2025, a last opportunity was provided to the respondent for filing of the reply. On 17.02.2026, the respondent filed reply to the appeal as well as the stay application and the matter was directed to be listed on 30.04.2026 for hearing on admission, and this Court feels that on that day, hearing on the application for stay was also supposed to be undertaken.

3. In the meantime, the respondent organization has issued Annex.6, an order regarding recovery and attachment of property. The action of the respondent cannot be appreciated since they had filed reply in the month of February. In my considered opinion, the respondents, who were contesting the matter before the learned Tribunal, should have waited until 30.04.2026 to argue the matter on stay and on merits of the case as well.

4. In view of the matter, the writ petition is disposed of as not pressed. The learned Tribunal is expected to decide the stay application and complete the hearing on the point of admission and on the stay application on the next date of hearing, i.e. 30.04.2026. Till 30.04.2026, the recovery and attachment in

pursuance of the order dated 17.03.2026 (Annex.6) shall remain in abeyance.

5. It is made clear that the learned Tribunal shall not get influenced by any observation made by this Court regarding the existence of a prima facie case in favour of the petitioner; rather, this order has been passed only with a view to see the outcome of the hearing until 30.04.2026. The learned Tribunal shall be free to decide the application for stay on its own merits without being influenced by this order.

(FARJAND ALI),J

68-Pramod/-