

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

S.B. Civil First Appeal No. 359/2023

Rajendra Prasad

----Appellant

Versus

Hukumchand & Anr.

----Respondents

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|                   |   |                                                               |
|-------------------|---|---------------------------------------------------------------|
| For Appellant(s)  | : | Mr. Mahendra Thanvi<br>Mr. Ritik Gehlot for Mr. Nishank Madan |
| For Respondent(s) | : | Mr. Hardik Gautam for Mr. Rakesh Arora                        |

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**HON'BLE MS. JUSTICE REKHA BORANA**

**Order**

**28/03/2026**

1. Counsel for the respondents submits that although an undertaking was given by him on the earlier occasion, he does not wish to continue the same as despite the direction to file requisite PF and notices for respondent No.2, the same have not been filed till date.
2. Counsel for the appellant however submits that the requisite PF and notices have been filed by him today. He prays that the undertaking ought to be directed to continue.
3. An undertaking given by a Counsel is definitely his/her prerogative. The Court cannot direct the Counsel to extend the same contrary to his instructions/desire.
4. In view of the above, oral undertaking as given by counsel for the respondent stands withdrawn.

**(REKHA BORANA),J**