

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

D.B. Spl. Appl. Writ No. 1859/2025

Hemant Kumar S/o Shri Mishri Lal, Aged About 55 Years,
Resident Of Type-4/38-E, Anupratap Colony, Bhabha Nagar,
Rawatbhata, District- Chittorgarh, Rajasthan.

----Appellant

Versus

1. State Of Rajasthan, Through Chief Secretary Department Of Atomic Energy, Jaipur, Rajasthan.
2. The Head (Hr), Rawatbhata Rajasthan Site, Nuclear Power Corporation Of India Ltd., Rawatbhata Rajasthan.
3. The Deputy Manager, Nuclear Power Corporation Of India Ltd., Rawatbhata, Rajasthan.
4. The Chairman/ Secretary, Of The B.a.r.c. Employees Co Op. Credit Society Ltd. Mumbai Office Address Old R-5 Shed Behind Rlg, Barc, Trombay, Mumbai, 400085.

----Respondents

For Appellant(s)	:	Ms. Khushboo Palasiya
For Respondent(s)	:	Mr. B.P. Bohra, Sr. CGSC Mr. Vaibhav Bhansali Mr. Pranjal Babel for Mr. Sanjay Nahar

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order

21/01/2026

1. Learned counsel for the appellant submits that her urgency is that the loan amount against the debtor Sh. Kamal Kumar Nirala is being recovered from the present appellant as he was the surety. Learned counsel fairly submits that ordinarily as surety, the appellant could have been responsible for the loan liability but here is the peculiar case where both the principal borrower and

surety both were employees of the same respondent-corporation, which is a Union entity and Sh. Kamal Kumar Nirala was permitted to take pre-mature discharge on 31.12.2024 even when his dues were not clear. This peculiar fact requires consideration. It is also informed that service of respondent No.4 has not been properly made.

2. Thus while service upon respondent Nos.1, 2 and 3 is complete on their respective lawyers appearing, fresh notice is issued for respondent No.4, returnable within a period of four weeks.

3. In the meanwhile, no recovery shall be made from the appellant till next date.

4. I.A. No.01/2026 is disposed of accordingly. The corrections and the amended cause title are permitted and taken on record.

(SANDEEP SHAH),J

(DR.PUSHPENDRA SINGH BHATI),J

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