

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 4255/2026

Sarna Marbles Pvt. Ltd.

-----Petitioner

Versus

K G Petrochem Ltd.

-----Respondent

For Petitioner(s) : Mr. Archit Bohra with
Mr. Prakhar Jain

For Respondent(s) :

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

09/03/2026

1. The present writ petition has been filed assailing the order dated 12.02.2026, passed by learned Commercial Court-III, Jaipur Metropolitan-II, whereby the learned Commercial Court has rejected the application filed by the petitioner under Order 7 Rule 11 CPC to take on record objections related to limitation period.

2. Learned counsel for the petitioner submits that the learned Trial Court has wrongly given the benefit of Section 14 of the Limitation Act, 1963 for the purpose when the proceedings were pending adjudication before the National Company Law Tribunal. He relies upon the judgment passed by Hon'ble Supreme Court in the case of **HPCL Bio-Fuels Limited Vs. Shahaji Bhanudas Bhad;** 2024 SCC OnLine SC 3190 (decided on 07.11.2024), wherein the Hon'ble Supreme Court has held that mere granting of liberty to a person to file any other proceedings in accordance with law, will not entitle the person to exclude the period.

3. Heard.

4. Let notices be issued to the plaintiff-respondent. Rule is made returnable within four weeks.
5. List this matter after four weeks.
6. In the meantime, further proceedings in Civil Suit No.71/2025 shall remain stayed till the next date of hearing.
7. This order will come into effect only after the service of respondent(s) is complete.

(BIPIN GUPTA),J

MAHIMA/19