

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 624/2026

Hardan Gurjar Son Of Late Omkarsingh Gurjar, Resident Of
Hansiyawas, Tehsil Kotputli, District Kotputli-Behror.

----Appellant-Defendant

Versus

Deepak Chand Agrawal Son Of Late Babulal Agrawal, Resident Of
Narehada, Tehsil Kotputli, District Kotputli-Behror.

----Respondent-Plaintiff

For Appellant(s) : Mr. Jitender Mituka, Adv.

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

30/04/2026

1. The present civil first appeal has been filed by the appellant-defendant against the judgment and decree dated 05.03.2026 passed by learned Additional District Judge No.04, Kotputli, District Kotputli-Behror (hereinafter referred to as the learned 'trial Court') in Civil Suit No. 23/2019, whereby, the suit filed by respondent-plaintiff against the appellant-defendant for recovery of money, has been decreed and a decree of Rs.8,87,980/- along with interest @ 9% per annum has been passed in favour of the respondent-plaintiff.
2. Heard on Stay Application No. 1919/2026.
3. Learned counsel appearing on behalf of the appellant-defendant submits that the effect and operation of the impugned judgment and decree dated 05.03.2026 passed by the learned trial Court be stayed till the pendency of the appeal.
4. The matter requires consideration.

5. Issue notice to the respondent-plaintiff by both modes i.e. by ordinary process as well as by registered post, returnable within six weeks. Requisites be filed within one week.
6. The appellant-defendant is directed to deposit 50% of the decretal amount along with the interest granted in favour of the respondent-plaintiff vide impugned judgment and decree dated 05.03.2026 passed in Civil Suit No. 23/2019 with the learned Additional District Judge No.04, Kotputli, District Kotputli-Behror within a period of one month from today.
7. On depositing the said amount by the appellant-defendant, the same shall be disbursed to the respondent-plaintiff in terms of the award on an undertaking by the respondent-plaintiff that in case, appeal of appellant-defendant succeeds, the respondent-plaintiff shall repay the amount, so received, along with the interest @ 6% per annum.
8. If the aforesaid amount is deposited by the appellant-defendant within the stipulated period, then the effect and operation of the impugned judgment and decree dated 05.03.2026 passed by the learned trial Court shall remain stayed, till further orders of this Court.
9. Accordingly, the stay application No. 1919/2026 stands disposed of.
10. List the matter after six weeks.
11. In the meanwhile, record of the Court below be summoned.

(ASHUTOSH KUMAR),J