

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6773/2026

Rajasthan Skill And Livelihoods Development Corporation,

-----Petitioner

Versus

M/s. Career Point Ltd.

-----Respondent

For Petitioner(s) : Mr. Divanshu Gupta
Ms. Simran Sharma
Mr. Tanishq Jhavery
Ms. Shubhi Gaur

For Respondent No.2 : Dr. Shyam Sharma

HON'BLE MR. JUSTICE SAMEER JAIN

Order

24/04/2026

1. The present petition is filed being aggrieved of order dated 06.03.2026 passed by Commercial Court No.2, Jaipur Metropolitan-II.

2. Learned counsel for the petitioner has submitted that without appreciation of prima facie nature of case, provisions of Section 36(3) of Arbitration and Conciliation Act, the learned Commercial Court has imposed a condition upon the appellant therein of giving bank guarantee amounting to Rs.1.5 crores approximately. It is submitted that petitioner is an extended hand of Government who has joined hands with the respondent to make the youth of India amenable to the self-employed market, under various vocational courses, on account of which, as a collaborative approach, respondent No.1 and petitioner have made endeavors to impart education, for which respondent invested certain amount.

3. Counsel has submitted that dispute arose in between the parties herein, and the petitioner filed a counter claim of a sum of Rs.3.34 crores approximately. He has also submitted that the claim was made by the respondents which is being awarded vide order dated 17.03.2025, relevant extracts from which is reproduced as under:

"111. While partially allowing claim in favour of claimant and against respondent No.1, award is passed in following terms:-

i. Notice dated 01.07.2022 issued by respondent No.1 against claimant for recovery of Rs.3,34,26,392/- is hereby quashed.

ii. Claimant is entitle to payment of amount of Bank Guarantee, Rs.54,22,504/- (fifty four lakh twenty two thousand five hundred four).

iii. Claimant is entitle to payment of Rs.1,00,00,000/- (one crore) towards investment made by him on the project.

iv. Claimant is entitle to an amount of Rs.8,00,000/- towards cost of litigation.

v. Claimant shall be eligible for simple interest at the rate 09.25% per annum for period from date of award till date of payment if the awarded amount mentioned in (ii), (iii) and (iv) is not paid within 30 days of the date of award.

vi. Rest of the claim and counter-claim are rejected."

4. Learned counsel has submitted that he has filed objection petition under Section 34 of the Arbitration and Conciliation Act and has also pleaded to decide the same in his favour. However,

the learned Commercial Court has made his objection petition and counter claim meaningless, by giving at the first stage directions to deposit the entire amount, due to which, the petitioner in financial distress.

5. Heard.

6. Issue notice to respondent No.1, returnable by three weeks.

7. In the meantime, Para-15 of the order impugned dated 06.03.2026 and condition Nos.ii, iii, iv and v of Para-111 of award dated 17.03.2025 shall remain stayed.

8. Learned Commercial Court concerned is directed to consider the matter subjudice before it, on merits without insisting upon the deposition of said amount.

(SAMEER JAIN),J