

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6884/2025

The State Of Rajasthan

-----Petitioner

Versus

M/s Advent Envirocare Technology Pvt. Ltd.

-----Respondent

Connected With

1. S.B. Civil Writ Petition No. 11823/2025
 2. S.B. Civil Writ Petition No. 2976/2025
 3. S.B. Civil Writ Petition No. 3279/2025
 4. S.B. Civil Writ Petition No. 4846/2025
 5. S.B. Civil Writ Petition No. 9108/2025
 6. S.B. Civil Writ Petition No. 9123/2025
 7. S.B. Civil Writ Petition No. 9182/2025
 8. S.B. Civil Writ Petition No. 9266/2025
 9. S.B. Civil Writ Petition No. 9473/2025
 10. S.B. Civil Writ Petition No. 10104/2025
 11. S.B. Civil Writ Petition No. 10706/2025
 12. S.B. Civil Writ Petition No. 11019/2025
 13. S.B. Civil Writ Petition No. 11020/2025
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For Petitioner(s)	:	Major R. P. Singh, Sr. Adv. assisted by Mr. Jaivardhan Singh Shekhawat Ms. Dhriti Laddha for Mr. Rajendra Prasad, AG Mr. Punit Singhvi with Mr. Harish Kandpal, Ms. Shraddha Mehta Mr. Shubham Rohila for Mr. Rahul Kamwar
For Respondent(s)	:	Mr. Ashok Mehta, Sr. Adv. Mr. N.K. Maloo, Sr. Adv. assisted by Mr. Mudit Singhvi, Ms. Priya Khushbani Mr. Ajay Singh Rajawat

HON'BLE MR. JUSTICE SAMEER JAIN

Order

02/12/2025

Learned Senior Counsel, Mr. Ashok Mehta and Mr. N.K. Maloo have made detailed submissions for the respondents and their arguments will continue tomorrow.

During the course of arguments, this Court has observed that the execution order dated 14-02-2025, in its para 36, reflects that the Union Bank of India has also raised an objection qua the execution proceedings, since they have sanctioned a loan to the tune of Rs.15 crores to the award debtor for which the guarantee was furnished by the *samiti* as a guarantor. The land in question is held as equitable mortgage with the bank against the said loan amount. Similarly, the plant and machinery were also held under hypothecation with the bank. It was noted that the bank, in the said term, enjoyed the first charge over the said immovable and movable properties and is bound to restore the said properties to the award debtor upon repayment of the loan amount, as a result of which the said properties cannot be attached and sold in the execution of the award as passed in the favor of the award holder.

In the light of the said arguments, this Court deems it appropriate that the Union Bank of India is a necessary party and the petitioners are directed to implead the same; and file an amended cause title, thereafter.

After filing of the amended cause title, let notices be issued to newly impleaded party.

In the meantime, counsel for the petitioners is directed to supply an advance copy in the office of standing counsel representing Union Bank of India.

Let the matter be listed tomorrow i.e. 03.12.2025 in the supplementary list.

(SAMEER JAIN),J