

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil First Appeal No. 1063/2025

M/s Kanhaiyalal Omprakash & Ors.

----Appellants/Defendants

Versus

Punit Kumar Gupta S/o Shambhudayal,

----Respondent/Plaintiff

Connected With

D.B. Civil First Appeal No. 1056/2025

Satish Kumar S/o Shri Rameshchand & Ors.

----Appellants/Plaintiffs

Versus

Punit Kumar Gupta S/o Shri Shambhudayal & Anr

----Respondents/Defendants

For Appellant(s) : Mr. Mohit Khandelwal

For Respondent(s) : Mr. Sanjay Kumar Singhal

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SANGEETA SHARMA

Order

16/01/2026

1. We notice that there were two suits filed relating to different cause of action (though amongst the same parties). The Commercial Court has clubbed both the cases and passed a single judgment wherein it has not even discussed the facts relating to the suit filed by the appellant(s). The Court on assumption proceeds on declaring the plaintiff as DW-1 and the statement which may have been recorded relating to the other suit where the plaintiff is a defendant has been considered while deciding the suit filed by the plaintiff Satish Kumar.

2. Admit.

3. Issue notice.

4. Mr. Sanjay Kumar Singhal, learned counsel, accepts notice on behalf of the respondents.
5. Therefore, service is complete.
6. Call for the record in DB Civil First Appeal No. 1063/2025.
7. Meanwhile, the status quo shall be maintained.
8. List these cases after eight weeks.

(SANGEETA SHARMA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ

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