

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Miscellaneous Appeal No. 2552/2025

Ajay Gaur Proprietor M/s Ajay Construction

----Appellant

Versus

State Of Rajasthan

----Respondent

For Appellant(s) : Mr. Akhsat Khandelwal

For Respondent(s) :

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
HON'BLE MR. JUSTICE MUKESH RAJPUROHIT (V. J.)

Judgment / Order

05/06/2025

1. This matter is listed in defect category.
2. Learned counsel for appellant submitted that aggrieved from judgment dated 30.04.2025 passed by Commercial Court, Kota, instant appeal is preferred by appellant. He submitted that office has pointed out that D.B. CMA has been filed against order in civil suit passed by a commercial Court, hence D.B. CMA seems not proper.
3. Section 13 of the Commercial Court Act 2015 provides appeal from decree of Commercial Court or Commercial division which clearly indicate that an appeal is maintainable before the Commercial Appellate Court against judgment and decree of the Commercial Court.
4. In view of the provision of Section 13, objection No.1 raised by office is hereby overruled.

5. Learned counsel for appellant submitted that there is urgency in the matter, therefore the matter be considered immediately by the Hon'ble Court.

6. List on 06.06.2025.

(MUKESH RAJPUROHIT (V. J.)),J

(ASHOK KUMAR JAIN),J

PREETI VALECHA /17