



2025:RJ-JP:50998

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 3881/2024

Dr. Gurdeep Singh S/o Shri Gyan Singh

----Appellant

Versus

State Of Rajasthan & Ors.

----Respondents

For Appellant(s)	:	Dr. Gurdeep Singh (present in person)
For Respondent(s)	:	Mr. Divyesh Maheshwari
		Mr. Nitish Bagri
		Mr. Jay Vardhan Joshi
		Mr. Rajesh Maharshi
		Ms. Shretima Bagri
		Mr. Hariom Vyas
		Mr. P.S. Tomar
		Mr. Rahul Verma for
		Mr. Archit Bohra, AGC
		Mr. Abhiuday Karan Barwar for
		Mr. Narendra Singh Yadav

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

17/12/2025

1. Heard Application No. 3/2025 filed by the respondents-applicants under Order I Rule 10(2) read with Section 151 of the CPC, seeking deletion of respondent Nos. 4/1 and 4/2 from the array of parties.
2. Learned counsel for the respondents-applicants submits that vide order dated 20.09.2025, they were impleaded as parties pursuant to the application filed under Order XXII Rule 3 CPC. However, the present application has been filed seeking deletion of their names from the array of respondents-defendants.
3. It is further contended by learned counsel for the respondents-applicants that the suit is primarily one for damages against



the State Government and that for any act of an individual officer, the State Government would be vicariously liable. The officer concerned was not liable in his personal capacity and, therefore, his legal representatives could not have been brought on record.

4. The appellant, present in person, does not dispute the said contention. However, he submits that the legal representatives were brought on record only to ensure that his rights in the suit are not adversely affected.

5. Heard both the parties.

6. This Court finds that in the present suit, if any liability arises, it would be that of the State Government, as respondent No. 4 was an officer of the State Government. No personal liability can be fastened upon respondent No. 4. Therefore, this Court is of the view that the legal representatives of Shri N.N. Purohit are not necessary parties for the proper adjudication of the suit.

7. The appellant, who is present in person, only seeks an assurance that his rights in the suit may not be affected on account of the death of Shri N.N. Purohit.

8. Considering the aforesaid facts and circumstances, the application is allowed. The legal representatives, namely applicant-respondents Nos. 4/1 and 4/2, are deleted from the array of parties, and against the name of Shri N.N. Purohit, the word "deceased" shall be recorded.

9. It is clarified that the rights of the appellant shall not be affected in any manner.



10. With the above observations, the application stands disposed of.

11. Let the amended cause title be filed within a period of two weeks.

12. The matter also comes up on application No. 4/2025, for final disposal of the appeal.

13. For the reasons mentioned in the application, the same is allowed, and the matter is taken up for hearing at this stage.

13. List the matter on 05.01.2026.

(BIPIN GUPTA),J