

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 602/2024

Birla Education Trust & Anr.

----Appellants

Versus

Sudhir Kumar S/o Shri Prahlad Rai Saini

----Respondent

For Appellant(s)	:	Mr. Anuroop Singhi with Mr. Tarun Kumar Verma & Mr. Bhavya Kala
For Respondent(s)	:	

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

19/10/2024

Heard.

Issue notice to the respondents to show cause as to why the appeal be not allowed and issue notice on stay also on payment of process fee within a week, returnable within three weeks.

List after four weeks.

In the meanwhile, taking into consideration the submission of learned counsel for the appellants that the order of the learned Single Judge condoning delay in filing the appeal without there being any such provisions of law in the relevant Act is against the verdict of the Supreme Court in the cases of **International Asset Reconstruction Company Of India Limited Vs. Official Liquidator Of Aldrich Pharmaceuticals Limited and Ors.-(2017) 16 SCC 137**, **Oil and Natural Gas Corporation Limited Vs. Gujarat Energy Transmission Corporation Limited and Ors.-(2017) 5 SCC 42** and **National Spot**



Exchange Limited Vs. Mr. Anil Kohli, Resolution Professional for Dunar Foods Limited- AIR 2021 SC 4339, it is directed that the effect and operation of the impugned order of the learned Single Judge shall remain stayed.

(ASHUTOSH KUMAR),J

(MANINDRA MOHAN SHRIVASTAVA),CJ

N.Gandhi/Tanisha/13