

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Misc. Stay Application No.51/2022

in

D.B. Civil First Appeal No. 18/2022

The Rajasthan Medical Services Corporation Ltd,

----Appellant

Versus

M/s Bharat Serum And Vaccine Limited,

----Respondent

For Appellant(s)	:	Mr. Gunjan Pathak, Advocate with Ms. Ishita Rawat, Advocate
For Respondent(s)	:	Mr. Rajendra Prasad, Sr. Advocate assisted by Mr. Sandeep Pathak and Ms. Vertika Mehra

**HON'BLE MR. JUSTICE PRAKASH GUPTA
HON'BLE MR. JUSTICE PANKAJ BHANDARI**

Order

11/03/2022

Heard learned counsel for the parties on the stay application.

Having regard to the impugned judgment and the submissions made by learned counsel for the parties as also in view of the provisions of Order 41 Rule 5 CPC, operation/execution of the impugned judgment and decree dated 24.09.2021 passed by the Commercial Court No.2, Jaipur Metropolitan in Suit No.2/2018 is stayed on the condition that the appellant-defendant shall deposit 50% of the decretal amount within one month from today with the concerned Commercial court and also furnishes a solvent security with regard to rest 50% of the decretal amount

with the Commercial Court concerned within the aforesaid period. On such deposition, the respondent-plaintiff shall be at liberty to withdraw the same on its furnishing a solvent security and an undertaking on oath to the effect that if the appellant-defendant ultimately succeeds in the appeal, the said amount shall be refunded by it to the appellant-defendant with interest @ 6% per annum from the date of withdrawal till refund.

(PANKAJ BHANDARI),J

(PRAKASH GUPTA),J

Chandan /19



सत्यमेव जयते