

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Company Petition No. 21/2016

Multani Pharmaceuticals Ltd.

-----Petitioner

Versus

Raj Drugs and Pharmaceuticals Ltd.

-----Respondent

For Petitioner(s)	:	Mr. Siddharth Bapna, Adv. Mr. Rahul Kumar, Adv. Ms. Tanushka Saxena, Adv.
For Respondent(s)	:	Mr. Vigyan Shah, AAG with Ms. Tanvisha Pant, Adv. Mr. Priyam Agrawal, Adv. Mr. Harish Agrawal, Adv. Mr. N.L. Agarwal, Adv.

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

08/05/2026

1. The present petition demonstrates an extremely gloomy and sorry state of affairs on the part of the respondent-Company, where on one hand it is categorically and unequivocally accepting its liability towards the petitioner and have been repeatedly admitting the factum of payment to be made by it to the petitioner-company, simultaneously on the other hand nothing concrete at all has been done by it, except for placing on record certain *inter-se* communications along with the affidavit being filed by its Authorities.

2. This Court vide order dated 26.05.2017, after taking note of the decision dated 28.12.2016 made by the Cabinet of Government of Rajasthan to pay off the liability of the creditors of the petitioner-company had disposed of the company petition, though while granting liberty to the petitioner-company to revive

the same in event of breach of the statement made by the Managing Director of the respondent-company in his affidavit.

3. Thereafter, since the respondent-company failed to honour the assurance extended by it by way of an affidavit of its Managing Director and the undisputed liability of the respondent-company towards the petitioner-company was not settled, the company petition was revived by this Court vide its order dated 30.05.2025 and since then, only adjournments have been sought by the respondent on one pretext or the other.

4. The Court, vide its order dated 08.08.2025, granted last opportunity of two weeks' time to settle the claim and thereafter, the respondent was directed to file an affidavit with respect to the steps taken by it for assuring compliance in terms of the affidavit earlier filed by the Managing Director of the respondent-company.

5. Though another affidavit in support and furtherance of the earlier affidavit was filed but the fact remains that no payment was ever made. Thereafter, again vide order dated 21.11.2025, last opportunity was granted after recording the submissions made by learned counsel for the respondent that the matter was being considered at a higher level in the Government. Subsequently, vide order dated 06.02.2026, while recording the factum of cabinet note (Mantri Mandal Gyapan) dated 11.09.2023, which in Clause-4 categorically records that the Government of Rajasthan has agreed to discharge the remaining liability of the respondent-company, which includes the amount claimed by the petitioner, believing the words of the counsel that it is only on account of budget session of the Government of Rajasthan being under way and that is why the payment is still not made, time was

granted. Yet again on 06.03.2026, 10.04.2026 and 24.04.2026 the same story continued. Today again, when the matter is taken up, but for another justification, which is nothing but a continuation in the series of excuses, time is being sought.

6. Mr. Vigyan Shah, learned Additional Advocate General, prays for four weeks' time with the assurance that the dues of the petitioner-company would be paid within the said time, however, as the submission made by a counsel at Bar carries immense significance, giving due weightage to the same, this Court grants the respondent time of eight weeks, so that the assurance given by Mr. Vigyan Shah, learned AAG is complied with and honoured in letter and spirit on or before the next date.

7. Learned counsel for the petitioner has no objection if the time prayed for is granted, however, he submits that the decision to make payment to the petitioner was taken by the respondent way back on 28.12.2016.

8. Taking note of the above facts and intervening circumstances, let the matter be fixed on 17.07.2026.

9. Though, this Court is hopeful that no further orders *qua* any non-compliance would be required to be passed on the next date, however, in case the assurance given is not complied with on that date as well, this Court will expect from Mr. Vigyan Shah, learned AAG to make submissions on the further steps to be taken by the Court with regard to such repeated non-compliance.

(ANUROOP SINGHI),J