

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

**S.B. Civil Writ Petition No. 16899/2022**

Avnish Kumar Jain Son Of Shri Naresh Chand Jain

-----Petitioner

Versus

The State Of Rajasthan & Ors.

-----Respondents

**Connected With**

**S.B. Civil Writ Petition No. 16901/2022**

Avnish Kumar Jain Son Of Shri Naresh Chand Jain

-----Petitioner

Versus

The State Of Rajasthan & Ors.

-----Respondents

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|                   |   |                                                                                                                                                                               |
|-------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Prahlad Singh                                                                                                                                                             |
| For Respondent(s) | : | Mr. S.S. Raghav for applicant- Sh.<br>Ashok Kumar Gupta<br>Mr. Arnav Singh for<br>Mr. Sandeep Pathak<br>Mr. Rohit Tiwari for<br>Mr. Vigyan Shah, AAG<br>Mr. Archit Bohra, AGC |

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**HON'BLE MR. JUSTICE SUDESH BANSAL**

**Order**

**20/01/2025**

**In S.B. Civil Writ Petition No. 16899/2022:-**

1. Matter has come up on an application (IA No.1/ 2024) filed by and on behalf of respondent Nos.1 & 3, seeking permission to proceed for inquiry pursuant to the impugned charge-sheet dated 23<sup>rd</sup> December, 2020 qua co-delinquent Sh. Ashok Kumar Gupta.
2. The writ petition has been filed petitioner- Avnish Kumar Jain, impugning the charge-sheet dated 23.12.2020, on several grounds, including the ground of delay and operation of the charge-sheet has been stayed by this Court vide order dated

16.12.2022. In the impugned charge-sheet, charges were leveled against co-delinquent Sh. Ashok Kumar Gupta as well, who has not assailed the charge-sheet.

3. Learned Counsel, appearing for and on behalf of applicant-Sh. Ashok Kumar Gupta, submits that co-delinquent Ashok Kumar Gupta is not aggrieved by the charge-sheet and is ready to face the inquiry.

4. In such view of the matter, it is made clear that the stay order dated 16.12.2022, staying operation of impugned charge-sheet dated 23.12.2020, shall remain operative qua petitioner-Avnish Kumar Jain only and respondents are at liberty to proceed for inquiry pursuant to the impugned charge-sheet against the co-delinquent Ashok Kumar Gupta.

5. Accordingly, application (IA No.1/ 2024) stands disposed of.

6. In view of aforesaid clarification, learned counsel Mr. S. S. Raghav, appearing for co-delinquent Sh. Ashok Kumar Gupta, does not want to press applications (IA Nos. 1/2023, 2/2024 & 3/2024) filed by Sh. Ashok Kumar Gupta, therefore, all three applications are dismissed as not press.

7. On behalf of respondent No.4, counsel has already put in appearance, hence let fresh notice be issued to respondent No.2.

**In S.B. Civil Writ Petition No. 16901/2022:-**

8. Let fresh notice be issued to respondents No. 2 & 4.

9. Interim order in both the writ petitions shall continue.

**(SUDESH BANSAL),J**