

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 1471/2024

Municipal Corporation

----Appellant

Versus

N. S. Services,

----Respondent

For Appellant(s)	:	Mr. G.S. Gill, AAG with Mr. Manoj Kumar Mr. J.K. Moolchandani with Ms. Anupama Dhamaniya Mr. Kumar Pal Gautam, Secretary- cum-Commissioner LSG Mr. Shrawan Kumar, Commissioner, Nagar Nigam, Bharatpur
For Respondent(s)	:	

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

31/01/2025

1. Mr. Kumar Pal Gautam, Learned Secretary-cum-Commissioner, LSG and Mr. Shrawan Kumar, Commissioner, Nagar Nigam, Bharatpur is present in person before this Court.
2. Learned AAG, Mr. Gill appearing on behalf of both submits that after cognizance of negligence adopted by the counsel before learned Trial Court, the State Government has initiated immediate action and removed the panel counsel Mr. Rajesh Mittal from the Panel and the order of removal will be filed before this Court. He further assures that the State Government is initiating action against the erring officials after initiating due inquiry. He needs time to file report about outcome of the inquiry within 4 weeks.
3. The Officers present before this Court also assures that they will take stern action against erring officials.

4. Having considered aforesaid, both the Officers are discharged and not required to remain present in future.
5. Aggrieved from order dated 05.09.2024 in civil suit No. 135/2021 passed by learned District Judge, Bharatpur, instant appeal is preferred by appellant-defendant.
6. Having considered the submissions, issue notice to respondent(s) by ordinary process as well as by registered speed post.
7. Considered stay application.
8. Learned counsel for appellant submits that the plaintiff has procured the contract on the basis of forged certificate and after knowledge of such discrepancy the appellants have withhold the payment to the contractor but later he filed civil suit for recovery and same was decreed. He further submits that the basis of suit is a forged document and the plaintiff has filed a civil suit by concealing the material facts.
9. Having considered aforesaid, the effect and operation of judgment and decree dated 05.09.2024 shall remain stayed till next date of hearing.
10. Call for record.
11. List this matter on 08.04.2025.

(ASHOK KUMAR JAIN),J