

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 133/2026

I.D.B.I. Bank Limited

----Appellant

Versus

Shri Rajesh Kumar Yadav S/o Shri Bhoop Singh Yadav, & Ors.

----Respondents

For Appellant(s) : Mr. Ashish Tiwari

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

25/02/2026

1. While impugned the judgment and decree dated 17.09.2025, whereby the suit filed by the appellant for recovery of amount qua defendant-respondent Nos.1 & 2, was rejected; learned counsel for the appellant submits that the learned Court below erred in dismissing the suit filed by the appellant for recovery of amount against defendant-respondent Nos.1 & 2 and allowing the counter-claim filed by defendant-respondent No.1 for withdrawing the name of the defendant-respondent No.1 from defaulter category and to send the information regarding the same to CIBIL. He further submits that the loan was sanctioned on the application of the borrower, i.e., defendant-respondent No.1, and defendant-respondent No.2 was the guarantor. On account of non-payment of EMI, the appellant has filed the present suit for recovery of Rs.9,60,542/- along with interest. He further submits that the learned Court below seriously erred in dismissing the suit qua defendant-respondent Nos.1 & 2, who are the borrower and guarantor.

2. Heard. The matter requires consideration.
3. Admit.
4. In view of the above, issue notice to the respondents, returnable within four weeks.
5. Let record of the Court below be summoned.
6. In the meanwhile, directions issued in Para Nos.25 & 26 of the impugned judgment and decree dated 17.09.2025, shall remain stayed.

(MANEESH SHARMA),J