



CNR: KAHC010526112022

NC: 2026:KHC:46369-DB
COMAP No. 471 of 2022

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 27TH DAY OF AUGUST, 2026**

PRESENT

**THE HON'BLE MRS. JUSTICE ANU SIVARAMAN
AND
THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA
COMMERCIAL APPEAL NO. 471 OF 2022**

BETWEEN:

SRI A N SUBBARAJU
AGED ABOUT 68 YEARS
S/O LATE A.S. NAGARAJ GUPTA
PRESENTLY R/AT NOS. 28, 28/1, 28/2
CITI CENTRE, THIRD FLOOR
CHURCH STREET, BANGALORE 560 001

...APPELLANT

(BY SRI. RAGHAVENDRA C., ADV. FOR
SRI. G.BALAKRISHNA SHASTRY, ADV.)

AND:

1. SRI DINESH M BHATIA
AGED ABOUT 49 YEARS
S/O MADANLAL BHATIA
HAVING HIS OFFICE AT NO.104,
FIRST FLOOR, JALA CHAMBER
NO.17, KUMARA KRUPA ROAD,
BENGALURU 560 001
2. MESSRS ABDU DHABI COMMERCIAL BANK

Digitally
signed by
RAKSHA
Location:
High Court
of Karnataka



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A BODY INCORPORATED IN THE UNITED ARAB
EMIRATES
HAVING ITS REGISTERED OFFICE AT NO.75 B,
"REHMAT MANZIL"
VEER NARIMAN ROAD,
MUMBAI 400 020
BRANCH OFFICE INTER ALIA AT G-3,
EMBASSY SQUARE
NO.148, INFANTRY ROAD,
BENGALURU 560 001
REPRESENTED BY ITS CHIEF EXECUTIVE-INDIA
MR. IBRAHIM ABDUL WAHID AND ASSISTANT
VICE PRESIDENT AND BRANCH MANAGER
MR. V. JAGANNATHAN AND CURRENT BRANCH
HEAR MR. JAYAGOPAL GAJENDRA

...RESPONDENTS

(BY SRI. L P E REGO, ADV. FOR C/R1;
SRI. V J ACHALANAND, ADV. FOR C/R2)

THIS COMAP IS FILED U/S 13 OF THE COMMERCIAL
COURT ACT, 2015 R/W ORDER XL RULE 1 OF THE CODE OF
CIVIL PROCEDURE, 1908, PRAYING TO SET ASIDE THE
JUDGEMENT AND DECREE DATED 12.09.2022 PASSED BY THE
LXXXVII ADDITIONAL CITY CIVIL & SESSIONS JUDGE
(EXCLUSIVE COMMERCIAL COURT) AT BENGALURU CITY (CCH
NO.89) IN COMMERCIAL O.S.NO.3361/2012 AND ALLOW THE
APPEAL BY DISMISSING THE SUIT OF THE PLAINTIFF AND
PASS SUCH OTHER ORDERS AS THIS COURT DEEMS FIT.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE T.P.VIVEKANANDA



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ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

Learned counsel for the appellant has filed a memo seeking withdrawal of the appeal.

2. Recording the memo, appeal is ***dismissed*** as ***withdrawn***. Registry shall refund the Court fee to the appellant as applicable, on proper identification.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(T.P.VIVEKANANDA)
JUDGE**

PN
List No.: 1 Sl No.: 5