

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.3159 OF 2010**

IN

SUIT NO.2032 OF 2005

Ardy International (P) Ltd. Plaintiffs
Vs.
Shah Knitwear Industries Pvt. Ltd. Defendant

Ms. Fatima Lakdawala Kadri, Advocate for the applicant in Notice of Motion and for defendant in Suit.

Mr. Anil Agarwal, Advocate for defendant in Notice of Motion and for Plaintiff in Suit.

Coram : **Smt. R.P. SondurBaldota, J.**

Date : 16th September, 2015

P.C. :

1 When it is pointed out to Ms. Kadri, the learned advocate for the plaintiff that, the order in question being passed under Order 8, Rule 10 CPC, the application for setting the same aside is maintainable. She seeks to withdraw the Notice of Motion stating that she would prefer an appeal against the order. The Notice of Motion is allowed to be withdrawn. The defendant is at liberty to file appropriate proceedings to challenge the same. Needless to mention that all the contentions of the parties are kept open.

(Smt. R.P. SondurBaldota, J.)

CERTIFICATE

Certified to be true and correct copy of the original
signed Order.