

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
NOTICE OF MOTION (L) NO. 167 OF 2016
IN
COMMERCIAL SUIT NO. 246 OF 2016**

Sopariwala Exports & Anr. ...Plaintiffs
Versus
Safari Ace Exporters & 3 Ors. ...Defendants

Dr. Birendra Saraf, *a/w Mr. Aditya Thakkar, Mr. Adheesh Nargolkar, Ms. Smriti Yadav, i/b Khaitan & Co., for the Plaintiffs.*
Mr. Alankar Kirpekar, *a/w Mr. Pradeep Vade, i/b Pradeep Vade Associates, for Defendant No. 4.*

CORAM: G.S. PATEL, J
DATED: 8th December 2016

PC:-

1. Dr. Saraf applies for leave to withdraw the Suit with liberty to file a fresh Suit. Leave granted with liberty as prayed. It is clarified that I have made no observations on merits of the case.
2. All interim and ad-interim orders stand vacated.
3. Refund of Court fees, if any, in accordance with the Rules.

4. All contentions and rival contentions are kept open, including the present Defendant's contentions as to the maintainability of any subsequent Suit.

(G. S. PATEL, J.)