

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**APPEAL NO. 297 OF 2017
IN
ARBITRATION PETITION NO. 951 OF 2016
WITH
NOTICE OF MOTION NO. 1416 OF 2017
IN
APPEAL NO. 297 OF 2017**

Jitendra Hiralal Shah ... Appellant

Versus

Kotak Mahindra Bank Limited ... Respondent

.....

Mr. Hemant P. Ghadigaonkar for the Appellant.

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**CORAM : NARESH H. PATIL AND
R. G. KETKER, JJ.**

DATE : 11th OCTOBER, 2017.

P. C. :

1. Learned Counsel for the Appellant, on instructions, seeks leave to withdraw this Appeal seeking liberty to file review petition before the learned Single Judge.

2. Without expressing any opinion on merits of the matter, leave to withdraw this Appeal with liberty as prayed for, is

granted. The Appeal, is therefore disposed of. In view of disposal of Appeal, pending Notice of Motion also disposed of.

3. In case, the appellant prefers review petition and is aggrieved by the order passed by the learned Single Judge, then the appellant is at liberty to prefer fresh appeal on the same cause of action.

(R. G. KETKAR, J.)

(NARESH H. PATIL, J.)