

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL JURISDICTION
APPEAL NO. 625 OF 2016
IN
CHAMBER SUMMONS NO. 944 OF 2015**

Shahi Shipping Limited
(Formerly SKS Logistics Ltd.) ...Appellant
Versus
Fairmacs Shipping & Transport
Services Pvt. Ltd. ...Respondent

**WITH
NOTICE OF MOTION NO. 58 OF 2017
IN
APPEAL NO. 625 OF 2016**

Shahi Shipping Limited
(Formerly SKS Logistics Ltd.) ...Applicant

IN THE MATTER BETWEEN :

Shahi Shipping Limited
(Formerly SKS Logistics Ltd.) ...Appellant
Versus
Fairmacs Shipping & Transport
Services Pvt. Ltd. ...Respondent

Ms. Priyanka Kothari I/b Ms. Suvarna Joshi for the Appellant

Mr. Rahul Narichania, Sr. Advocate a/w Mr. Sunilkumar Neelambaran I/b
M/s. Mulla & Mulla & Craigie Blunt & Caroe for the Respondent

***CORAM : S. C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.
WEDNESDAY, 13th DECEMBER, 2017***

P.C. :

1. After the attention of the learned counsel appearing for the appellant was invited to two Division Bench judgments of this Court; firstly, delivered in the case of ***Sushila Singhanian & Ors. vs. Bharat Hari Singhanian & Ors.*** in Commercial Appeal No. 4 of 2016 together with Commercial Appeal (Lodging) Nos. 5 of 2016 and 6 of 2016, decided on 29th March, 2017, and another in the case of ***Sigmaq Technologies Pvt. Ltd. & Ors. vs. Manugrah India Ltd. & Ors.*** in Commercial Appeal No. 40 of 2016 together with Commercial Appeal Nos. 41 of 2016 and 49 of 2016, decided on 14th September, 2017, the learned counsel, on instructions, seeks leave to withdraw this appeal.

2. The appeal is disposed of as withdrawn.

3. In view of the withdrawal of the appeal, nothing survives for consideration in the Notice of Motion. The same stands disposed of accordingly.

SMT. BHARATI H. DANGRE, J.

S.C. DHARMADHIKARI, J.