

**IN THE COURT OF PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

-:-

Civil Revision No. 642 of 2017

Date of Decision: 31.01.2017

M/s Supreme Tex Mart Ltd. & Ors.

..... Petitioners

Versus

Stoll Financial Services GmbH

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present:- Mr. Sangram Patnaik, Advocate along with
Mr. Rajiv Gupta and Mr. Satish Garg, Advocates, for the petitioners.

RAMESHWAR SINGH MALIK, J

Notice of motion.

Mr. Santosh Sharma, Advocate, appearing along with Mr. Akshay
Bhan, Sr. Advocate, accept notice on behalf of the respondent-Caveator.

Heard learned counsel for the parties.

On having been pointed out by learned Senior counsel for the
respondents about the order dated 25.01.2017 passed by the learned trial Court that
the suit already stands referred to the Commercial Court at the instance of the
petitioner-defendant, instant revision petition would not be maintainable in view of
the provisions of Section 8 of the Commercial Courts, Commercial Division and
Commercial Appellate Division of High Courts Act, 2015 (hereinafter referred to
as 'the Act') and only an appeal under Section 13 of the Act would be maintainable,
learned counsel for the petitioners seeks permission of the Court to withdraw the
instant revision petition with liberty to the petitioners to avail other remedies in
accordance with law.

Permission is granted. Dismissed as withdrawn with the liberty as
prayed for.

**(RAMESHWAR SINGH MALIK)
JUDGE**

January 31, 2017