

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Commercial Appeal NO. 178 OF 2017
IN
NOTICE OF MOTION NO. 1318 OF 2016

Intouch Leather House India Pvt. Ltd. ...Appellant
Versus
Ishaan Overseas ...Respondent

WITH
NOTICE OF MOTION (L) NO. 71 OF 2017
WITH
NOTICE OF MOTION NO. 87 OF 2018

Mr.B.N.Poojari with Ms.Srishti Poojari i/b.Asian Patent Law, for the Appellant.

Mr.Abhishek Sawant h/f. Shoaib I.Menon, for Respondent No.1.

CORAM: *NARESH H.PATIL AND
G.S.KULKARNI, JJ*

DATED: *19th June, 2018*

P.C.:

1. The learned Counsel for the appellant on instructions seeks leave to withdraw the appeal with liberty to approach the learned Single Judge by making an application for modification/ vacation of the order on the ground of new material which the appellant would place on record.

2. We find that the impugned order being an interlocutory one, the request made by the learned Counsel for the appellant needs consideration.

3. We allow the request of the learned Counsel for the appellant. The appeal is allowed to be withdrawn with liberty as prayed for. All contentions of the parties are kept open.

4. As the appeal is disposed of, pending notice of motion (Lodg) No.71 of 2017 and Notice of Motion no.87 of 2018 do not survive. They are disposed of.

(G.S.KULKARNI, J.)

(NARESH H. PATIL, J.)