

Sharayu Khot.

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

COMMERCIAL NOTICE OF MOTION NO. 760 OF 2019

IN

COMMERCIAL SUMMARY SUIT NO. 1427 OF 2018

WITH

COMMERCIAL SUMMARY SUIT NO. 1427 OF 2018

Osaka Synthetics Pvt.Ltd.

...Applicant

In the matter between

Osaka Synthetics Pvt.Ltd.

...Plaintiff

Versus

Thakkar Realities Pvt.Ltd. & Ors.

...Defendants

Mr. Vishal Kanade, a/w Mr. Mohan B. Jadhav, for the
Applicant/Plaintiff.

Mr. Chetan R. Shah, a/w Mr. Jayesh Nishar, i/by J. Nishar & Co., for
the Defendants.

CORAM : R.I. CHAGLA J.

DATE : 07 October 2019

ORDER :

1. The learned Counsel for the Plaintiff seeks permission to
withdraw the Commercial Summary Suit with liberty to file a fresh

Suit on the same cause of action.

2. Permission is granted. The Suit is dismissed as withdrawn with liberty as prayed.

3. The Plaintiff is entitled to refund of Court fees in accordance with law. Today's date shall be the date of application for refund of Court fees.

4. Since the Suit has been withdrawn, the Notice of Motion does not survive.

[R.I. CHAGLA J.]