

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1107 WRIT PETITION NO.9106 OF 2021

Jeevan Vinayak Jahagirdar

.. Petitioner

Versus

The Director,
Directorate of Marketing and Others

.. Respondents

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Advocate for Petitioner : Mr. Chetan T. Jadhav
AGP for Respondent Nos.1 and 2 : Mr. P.K. Lakhotiya
Advocate for Respondent No.3 : Mr. S.G. Chapalgaonkar

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**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 16-12-2021

PER COURT :

1. Heard Mr. Jadhav, learned Advocate for the petitioner and Mr. Chapalgaonkar, learned Advocate for respondent no.3.

2. It appears that the interlocutory orders are being litigated between the parties by filing the writ petition and other proceedings. Section 8 of the Commercial Courts Act provides that the civil revision application or the petition shall not be entertained against interlocutory orders of a Commercial Court including an order on the issue of the jurisdiction, and any such challenge, subject to the provisions of Section 13, shall be raised only in an appeal against the

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decree of the Commercial Court. Section 13 of the Commercial Courts Act provides for appeals from decrees of Commercial Courts and Commercial Divisions. Apart from an appeal against the decree in the commercial suit, the remedy is provided for appeal against the orders that are appealable under order 43 of the Code of Civil Procedure.

3. In light of that, at this stage it would not be appropriate to entertain the writ petition. The writ petition is disposed of. No costs.

4. The petitioner may subsequently avail the remedy as is provided under the Commercial Courts Act.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

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