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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 289 OF 2021

HP India Sales Pvt. Ltd (earlier known as ...Applicants
Hewlett-Packard India Sales Pvt. Ltd.)

Versus

Vijay Kumar Singhal, Proprietor of Computer ...Respondent
Stationery

Mr. Dhiraj Mhetre, with Mr. Satyasrikant Vutha, & Ms.
Tanushri Kejriwal, i/b M/s. Khaitan Legal Associates, for the
Applicants.

Mr. S.L. Shah, i/b Shah Legal, for the Respondent.

CORAM: Smt. Bharati Dangre, J.

DATED: 21st December 2021

P.C.:-

1. The Applicant is aggrieved by the rejection of its application for summary judgment under Order 13A Rule 1 of the Code of Civil Procedure, 1908.

When I expressed my disinclination to entertain the present Revision Application, the learned Counsel for the Applicant seek its withdrawal, but for an observation from this

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Court that while determining the issues in the suit, the learned Judge shall not be influenced by the observations made by him in the impugned order dated 12.10.2021.

2. Needless to state that while the suit with the specific reliefs as sought in prayer clauses (a) to (d), the learned Judge is expected to settle the issues in the wake of the pleadings and the documents that will be tendered. The observations in the order dated 12.10.2021 being restricted only for the limited purpose of the application for summary judgment will not influence the learned Judge while determining the issues in the suit.

3. The Civil Revision Application is disposed of as withdrawn.

(Smt. Bharati Dangre, J.)