

Dhanappa
I. Koshti

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Dhanappa I. Koshti
Date: 2021.02.25
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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL SUIT NO.436 OF 2019
WITH
NOTICE OF MOTION NO.821 OF 2019
IN
COMMERCIAL SUIT NO.436 OF 2019**

Reliance Project Ventures &
Management Pvt. Ltd. & Anr.

...Plaintiffs

V/S

ECL Finance Ltd. & Ors.

...Defendants

Ms. Nikita Mishra i/b. Rashmikant & Partners for Plaintiffs.

Mr. Shaunak Gokhale i/b. Apex Law Partners for Defendant
No.5.

Mr. Vijayendra Purohit i/b. Manilal Kher Ambalal & Co. for
Defendant Nos.1 to 4.

**CORAM : B. P. COLABAWALLA, J.
DATED : 23rd FEBRUARY, 2021.**

P.C.

The present Application has been moved for
Speaking to the Minutes of the order dated 16th February 2021.
The learned advocate appearing on behalf of the Plaintiff has
brought to my attention that though the Suit was allowed to be
withdrawn, due to inadvertence, there is no direction in the
order regarding refund of court fees.

2. Having heard the learned advocate appearing on behalf of the Plaintiff, at the end of paragraph 3, the following shall be added:

“Refund of court fees, if any, as per rules”.

No other correction is sought. The correction shall be carried out in the original order as well as order uploaded on the server.

3. This order shall be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned shall act on production by fax or e-mail of a digitally signed copy of this order.

(B. P. COLABAWALLA, J.)

THE CORRECTED ORDER READS THUS:

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUIT NO. 436 OF 2019
WITH
NOTICE OF MOTION NO. 821 OF 2019
IN
COMMERCIAL SUIT NO. 436 OF 2019**

Reliance Project Ventures & Management
Pvt. Ltd. & Anr.

... Plaintiffs /
Applicants

Vs
ECL Finance Ltd. & Ors.

... Defendants /
Respondents

Mr.Aman Kacheria i/b. Rashmikan & Partners for the
Plaintiffs/Applicants.

Mr. Sachin Chandarana a/w. Mr. Vijayendra Purohit a/w Mr.
Pruthvi Dhinoja i/b. Mr. Manilal Kher Ambalal & Co. for
Defendant Nos.1 to 4.

Mr.Shannak Lokhande i/b. Apex Law Partners for Defendant
No.5.

CORAM : B.P. COLABAWALLA, J.

TUESDAY, 16TH FEBRUARY, 2021

P.C. :

1 The learned Advocate appearing on behalf of the
plaintiffs has tendered an email received from the plaintiffs'
giving them instructions to withdraw the above Suit. The Email
is taken on record and marked as "X" for identification.

2 The learned Advocate, therefore, submitted that the
plaintiffs be allowed to withdraw the above Suit.

3 In these circumstances, the above Suit is dismissed as withdrawn. No order as to costs. Refund of court fees, if any, as per rules.

4 In view of the withdrawal of the Suit, nothing survives in Notice of Motion No.821 of 2019, and the same is disposed of accordingly.

5 This order shall be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned shall act on production by fax or e-mail of a digitally signed copy of this order.

B.P. COLABAWALLA, J.