

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

APPEAL FROM ORDER NO.989 OF 2022

Sankalp Design and Engineers Pvt. Ltd.,
Mumbai

.... Appellant

v/s.

Royal Forwarders Pvt. Ltd., Mumbai

.... Respondent

Mr. Vaibhav Krishna a/w. Mr. Tahir Prande and Anmol
Bartaria i/b. Juris Consillis for the Appellant.
Ms Lavina Kripalani for the Respondent.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 13th DECEMBER, 2022.

P. C. :-

. In the course of hearing, learned counsel for the Respondent raised issue of maintainability of Appeal against grant of conditional leave to defend the suit filed under Order 37 of CPC. Learned counsel for the Appellant, under instructions, seeks leave to withdraw the Appeal with liberty to file Writ Petition.

2. Leave with liberty is granted. Appeal is dismissed as withdrawn.

**PREETI
H JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

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