

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO.56 OF 2023
WITH
INTERIM APPLICATION (ST) NO.2610 OF 2023**

Perfect Infraengineers Ltd. & Anr. ..Appellants

Vs.

Board of Directors through Chairman and
Managing Director ICICI Bank Ltd. & Ors. ...Respondents

Mr. Mathew Nedumpara with Ms.Hemali Kurne with Mr.Chandlal Natarajan, for Appellants.

Mr. Harjot Singh i/b. Ravat Shah & Co., for Respondent Nos.1 to 4.

CORAM : G.S. KULKARNI, J.

DATE : JANUARY 31, 2023

P.C.:

1. After this appeal was heard for some time, Mr.Nedumpara, learned Counsel appearing on behalf of the appellants seeks leave to withdraw this appeal with liberty to approach the City Civil Court by filing a review petition/application seeking review of the impugned order dated 23 December 2022. The contention of the appellants is that although the appellants had raised a specific contention under the Micro, Small and Medium Enterprises Development Act, 2006, it has not been considered by the City Civil Court in the impugned order.

2. The appeal is accordingly allowed to be withdrawn with liberty as

prayed for. All contentions of the parties on the proposed review petition/application are expressly kept open.

3. Needless to observe that the review petition/application be decided without being influenced by the impugned order.

4. If the review petition/application is filed within a period of one week from today, let the same be decided within a period of two weeks thereafter.

5. In view of withdrawal of the appeal, nothing survives in the pending Interim Application, the same is disposed of.

[G.S. KULKARNI, J.]