

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.251 OF 2023

Rajesh Jain and another	]	Appellants
Vs.		
Sundaresh Bhat and another	]	Respondents

Mr. Gautam Ankhad i/b Mr. Vedchetan Patil a/w Vishwa Gadhaik-Patil, for Appellants.

Mr. Harsh Sheth i/b MDP and Partners, for Respondent No.2-Bank of Baroda.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 18th JULY, 2023.

P.C.

1. Having heard learned Counsel for the parties for some time, they agreed to remand the case to the trial Court by setting aside impugned order dated 22nd September, 2022 and to admit the suit bearing No.1531 of 2022 under it's original number i.e 1531 of 2022.

2. As such, case is remanded to the trial Court by setting aside the impugned order dated 22nd September, 2022. The trial Court is directed to admit the suit bearing No.1531 of 2022 under it's original number i.e 1531 of 2022 and determine it in accordance with law.

3. The trial Court is directed to go through the judgment of the Hon'ble Supreme Court in case of **Bank of Rajasthan Limited Vs. VCK Shares and Stock Broking Services Limited (2023) 1 Supreme Court Cases 1.**

4. The parties are directed to remain present before the trial Court on 1st August, 2023.

5. The appeal stands disposed of in light of the aforesaid observations with no order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]