

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**COMMERCIAL APPEAL NO.40 OF 2023
IN
NOTICE OF MOTION (L) NO.1468 OF 2019
IN
COMMERCIAL IP SUIT NO.702 OF 2019**

FinTree Education Pvt. Ltd. & Anr.
V/s.

... Appellants

Fintree Finance Private Limited

... Respondent

Mr. Ram Apte, Senior Advocate a/w Mr. Ketan Dhavle a/w Mr. Harshal
P. Nahata for the Appellants.

**CORAM : NITIN JAMDAR, ACJ. AND
ARIF S. DOCTOR, J.**

DATED : 20 JULY 2023.

P.C. :

The Appeal is filed against an ad-interim order passed on
18 September 2019.

2. The learned Counsel for the Appellants submits that
instead of pressing the present Appeal, the Appellants will argue the
Notice of Motion, more particularly since the amendment has been
allowed to incorporate certain subsequent events, which will provide
foundation for the Petitioner's prayer.

3. In light thereof, the Appeal is disposed of keeping all contentions open.

4. The Notice of Motion will be decided on its own merits. We have no doubt that while considering the Notice of Motion, the learned Single Judge will keep in mind that the observations made in impugned order are made at the ad-interim stage.

(ARIF S. DOCTOR, J.)

(ACTING CHIEF JUSTICE)