

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL APPEAL NO. 20 OF 2022

IN

COMMERCIAL DIVISION NOTICE OF MOTION NO. 763 OF 2019

IN

COMMERCIAL SUIT NO. 157 OF 2016

Bhupendra Jivrajbhai Surani	...	Appellant
Versus		
HDFC Bank Ltd. & Ors.	...	Respondents

Ms. Mansha Khemka a/w. Ms. Bhagyashree Upadhyay-Tiwari & Ms. Isha Saglani i/b. Khemka & Associates for Appellant.

Mr. Sameer Pandit, Ms. Sarrah Khambati and Mr. Anuj Jain i/b. Wadia Ghandy & Co., Advocates for Respondent No.1.

Mr. Vidit Divya Kumrat i/b. Mr. Piyush Deshpande, Advocate for Respondent No.4.

**CORAM : K. R. SHRIRAM &
RAJESH S. PATIL, JJ**

DATE : JANUARY 24, 2023

PC

1. When the matter was called out in the pre-lunch session, Mr. Pandit, raised an issue of maintainability of the appeal. After the matter was argued for some time, Ms. Khemka, requested a pass over of the matter to post-lunch session, to enable her to take instructions.

2. Post-lunch, Ms. Saglani, on instructions of Ms. Khemka, seeks leave to withdraw the appeal with liberty to raise all these contentions at the appropriate stage.

3. Appeal dismissed as withdrawn with liberty as prayed for.

4. All rights and contentions are kept open.
5. We clarify that we have not made any observation on the merits of the case.

(RAJESH S. PATIL, J.)

(K. R. SHRIRAM, J.)

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