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OSA(CAD) No.49 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. DHANABAL

OSA (CAD) No.49 of 2023

A.Hassan Ali

... Appellant

Vs.

1. Mustafa PTE Ltd., No1, North Bridge Road,
19-05, High Street Center, Singaport 179 094,
rep. by its power of attorney Syed Abdul Khader
(amened as per order dated 29.11.2019 in
application No.9116/2019)

2. Mustafa Gold Mart, Mustafa Center,
No.160/95, Usman Road, T.Nagar,
Chennai-17, rep. by its Proprietor,
Mustaq Ahmed.

... Respondents

Prayer: Original side appeal filed under Section 13(1) of Commercial Courts Act, 2015 read with Order XXXVI Rule 1 of O.S. Rules to set aside the order passed by this Court in Application No.3187/2022 in C.S.No.559/2004 dated 01.03.2023.



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For appellant : Mr.Hasan Ali, party in person

For Respondents : Mr.A.Palaniappan for R1

ORDER

(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

Today, when the matter is listed for hearing, the learned counsel for the respondents submitted that in C.S(Commercial Division) No.559/2004, trial has been completed and arguments has also been completed.

2. The appellant, who is appeared party in person also accepted the above facts and seeks permission of this court to withdraw the present original side appeal. To that effect, he has also made an endorsement.

3. Recording the above submission and also the endorsement made by the learned counsel for the appellant, this original side appeal is dismissed as withdrawn. No costs.

(D.K.K.J.)

(P.D.B.J.)

10.10.2023

Internet: Yes/No

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