KANCHAN VINOD MAYEKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 449/2025

DARIUS RUTTON KAVASMANECK ..APPLICANT

VERSUS

GHARDA CHEMICALS LIMITED ..RESPONDENT

Adv. Aseem Naphade a/w. Adv.Ronak Shah, Adv. Anushka Divakaram, Adv. Jay Vyas i/b. Dhru & Co. for the Applicant.

Senior Advocate Mr.Sunip Sen a/w. Adv. Nirav Shah, Adv. Chirag Dave, Adv. Shubham Kalbere, Adv. Soumya Srinivasan i/b. Legasis Partners for the Respondent No.1.

CORAM : RAJESH S. PATIL, J.

DATE : 9 DECEMBER, 2025

P.C. :-

1) After this matter was argued for some time, learned advocates for both the sides, by consent agree that the Suit No. 2932 of 2011 which was transferred from this Hon'ble Court to the City Civil Court be transferred back to this Hon'ble Court and be heard on merits by keeping all contentions of both the parties open.

2) In view of the consent of learned advocates for both the sides, the present **Miscellaneous Civil Application stands allowed in terms of prayer clause (a).**

3) It is made clear that all rights and contentions of both the

parties are kept open.

4) So also, once the proceedings are transferred to the Bombay High Court, by consent the Notice of Motion No. 5211 of 2024 will be heard first on merits. Hearing of the said Notice of Motion is hereby expedited.

5) Both the parties through their learned advocates undertake to this Court that they will co-operate with the Court for early hearing of the Notice of Motion No. 5211 of 2024 and will not seek unnecessary adjournments.

6) Once the proceedings are transferred before this Court, liberty is granted to both the parties to mention the Notice of Motion before the concerned Court for taking up the same for hearing.

[RAJESH S. PATIL, J.]