

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

COMMERCIAL APPEAL FROM ORDER NO. 4 OF 2025

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Hitesh Bhuralal Jain	}	Appellant
Versus		
Rajpal Amarnath Yadav & Ors.	}	Respondent

Mr. Rishikesh Soni i/b. Ms. Anjali Mishra for appellant.

Mr. A. S. Pal with Ms. Pooja P. Yadav for respondent no. 1.

**CORAM: ALOK ARADHE, CJ. &
ARIF S. DOCTOR, J.**

DATE: FEBRUARY 17, 2025

PC:

1. This appeal under section 13(1-A) of the Commercial Courts Act, 2015 has been filed against an order dated 13th January 2025 passed by the City Civil Court, Dindoshi, by which, the notice of motion filed by the appellant seeking stay of the proceedings under section 10 of the Code of Civil Procedure, 1908 (CPC) has been rejected.

2. Learned counsel for the appellant fairly submitted that the appellant be granted liberty to withdraw the appeal with liberty to prosecute other remedy available in law.

3. In view of the aforesaid submission, the appeal is disposed of in terms of the liberty as prayed for.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)