IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

COMMERCIAL APPEAL FROM ORDER NO. 29 OF 2025

WITH

INTERIM APPLICATION NO. 12831 OF 2025

IN

COMMERCIAL APPEAL FROM ORDER NO. 29 OF 2025

M/s. Leelap Clothing Pvt. Ltd. …Appellant
(Orig. Defendant)

Versus

M/s. Raman Impex Pvt. Ltd. …Respondent
(Orig. Plaintiff)

Mr. Zal Andhyarujina a/w Ms. Maithili Parikh i/by Saif Mobhani and Tasmiya Khan for the Appellant.

Mr. Nitesh S. Das for the Respondent.

CORAM : R.I. CHAGLA J
FARHAN P. DUBASH, J

DATE : 8 December 2025

SHARAYU PANDURANG KHOT

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Date: 2025.12.08 15:19:00 +0530

1. In view of the urgency made out by the Appellant viz. that the *ex-parte* decree dated 17th November 2022 passed by the

City Civil Court, Dindoshi, Mumbai is being executed, we pass the Operative Part of our Order. The reasoned order shall be passed separately.

: OPERATIVE PART OF ORDER :

(i) The impugned order dated 30th September 2025 dismissing the Notice of Motion of the Appellant under Order IX Rule 13 is quashed and set aside.

(ii) The Notice of Motion No. 1831 of 2025 is restored to the file of the City Civil Court, Dindoshi, Mumbai for hearing on merits and which shall be disposed of on the same pleadings already filed by the parties, preferably on or before 31st January 2026.

(iii) Till the disposal of the Notice of Motion No. 1831 of 2025, the execution of *ex-parte* decree dated 17th November 2022 passed by the City Civil Court, Dindoshi,

Mumbai is stayed.

(iv) Commercial Appeal From Order is disposed of in the above terms. There shall be no order as to costs.

(v) In view of this order, Interim Application No. 12831 of 2025 does not survive and is accordingly disposed of.

[FARHAN P. DUBASH, J.] **[R.I. CHAGLA J.]**

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Sharayu Khot.