

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMMERCIAL APPEAL NO. 22 OF 2024

Chandrakant V. Shah	}	Appellant
versus		
Axis Finance Limited & Ors.	}	Respondents

JAYANT
VISHWANATH
SALUNKE

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JAYANT
VISHWANATH
SALUNKE
Date: 2025.06.13
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Mr. Mayur Vinod Faria with Mr. Harshal H. Savla, Mr. Chintan N. Patel and Mr. Parth P. Bhanushali for appellant.

Mr. Karl Tamboly with Ms. Niyati Merchant and Mr. Harsh Sheth i/b. MDP Legal for respondent no. 1.

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.
DATE: JUNE 13, 2025**

P.C.:

1. This appeal emanates from order dated 20th July 2022 passed by the learned Single Judge, by which, application preferred by the appellant under Order XXXIX Rule 4 of the Code of Civil Procedure, 1908 has been rejected and the ad-interim order dated 26th October 2021 is directed to be continued.
2. We have heard learned counsel for the parties.
3. Admittedly, the application under Order XXXIX Rule 1 and 2 is pending before the learned Single Judge.
4. Learned counsel for the appellant seeks leave of this Court to withdraw the appeal with liberty to prosecute the pending applications before the learned Single Judge.
5. Accordingly, the appeal is disposed of in terms of the liberty as prayed for.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)