

Jvs.

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

COMMERCIAL APPEAL NO. 67 OF 2025

**Rajnikant Himatlal Mehta & Anr. } Appellant
versus
Jagdish Himmatlal Mehta & Ors. } Respondent**

Mr. Atul Damle, Senior Advocate i/b. Mr. A. R. Shaikh for appellant.

Mr. Kunal Mehta with Mr. Dipen Furia and Mr. Shubham Mishra i/b. Shah & Furia Associates for respondents 1 & 2.

Mr. S. D. Mishra i/b. ASD Associates for respondents 3 to 5.

**WITH
COMMERCIAL APPEAL NO. 68 OF 2025**

**M/s. Raj Corp. & Ors. } Petitioner
versus
Jagdish Himmatlal Mehta & Ors. } Respondent**

Mr. S. D. Mishra i/b. ASD Associates for appellant.

Mr. Kunal Mehta with Mr. Dipen Furia and Mr. Shubham Mishra i/b. Shah & Furia Associates for respondents 1 & 2.

Mr. Atul Damle, Senior Advocate i/b. Mr. A. R. Shaikh for respondents 3 & 4.

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE: AUGUST 4, 2025

P.C.:

1. These appeals under section 13(1-A) of the Commercial Courts Act, 2015 have been filed against an order dated 22nd

April 2024, by which application seeking ad-interim injunction restraining defendants 1 to 5 from acting on the agreement of redevelopment rights dated 23rd January 2019 has been allowed.

2. Learned counsel for the parties jointly submit that the applications seeking injunction are pending before the learned Single Judge and therefore, they seek leave of this Court to withdraw these appeals with liberty to argue the applications under Order XXXIX Rules (1) and (2) before the learned Single Judge.

3. In view of the aforesaid submission, the appeals are dismissed as withdrawn with liberty to the appellants to pursue the applications under Order XXXIX Rules (1) and (2) before the learned Single Judge.

4. Needless to state that the learned Single Judge shall decide the aforesaid applications uninfluenced by the order dated 22nd April 2024.

JAYANT
VISHWANATH
SALUNKE

Digitally signed by
JAYANT VISHWANATH
SALUNKE
Date: 2025.08.04
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(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)