

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 1099 OF 2025

IN

COMMERCIAL APPEAL NO. 54 OF 2022

M/s. Dazzler Confectionary Company Pvt. Ltd. ... Applicant

V/s.

Mohit Khabar Khabar ... Respondent

Mr. Siddhesh Bhole a/w. Mr. Yakshay Chheda & Ms. Anushree Koparkar i/b.
SSB Legal And Advisory for Applicant.

Ms. Akanksha Agrawal a/w. Mr. Neerav Merchant i/b. Thakordas &
Madgavkar for Respondent (Original Plaintiff).

CORAM : A. S. GADKARI AND
MADHAV J. JAMDAR, JJ.

DATE : 23rd July 2025.

PC. :

1) The Applicant has prayed for the following alternate prayer :-

(c) In the alternative and without prejudice to the prayer clause (b), this Hon'ble Court be pleased to pass appropriate Orders granting leave / liberty to the Applicant to withdraw the said Interim Application (L.) No. 7502 of 2022 with liberty to file the same or an application seeking delay condonation before the Bombay City Civil Court, Mazgaon i.e. Court Room No. 87 which is presently seized of the said Suit being Commercial Summary Suit No. 343 of 2024 (Original Commercial Summary Suit No. 27 of 2019).

- 2) Advocate Ms. Agrawal appearing for contesting Respondent has no serious objection in allowing the said prayer.
- 3) Perusal of Application indicates that, prayer clause (c) be granted in favour of the Applicant.
- 4) Application is accordingly allowed in terms of prayer clause (c).
- 5) It is needless to mention that, after the Applicant files the said Interim Application in appropriate proceedings, the Respondent is entitled to file his say / reply, as may be permissible under the law.

(MADHAV J. JAMDAR, J.)

(A.S. GADKARI, J.)

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