



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

SECOND APPEAL NO. 10 OF 2025

M/S HANUMANT INFRA TECH PRIVATE LTD. AND ANOTHER

VERSUS

BIRENDRAKUMAR S/o SHADEO GOP AND ANOTHER

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. V. R. Mundra with Mr. S. N. Tapadia, Advocates for the appellants.
Mr. S. P. Kshirsagar with Mr. S. D. Patil, Advocates for the respondents

CORAM : M. W. CHANDWANI, J.

DATE : JULY 07, 2025.

1. Heard the learned counsel appearing on behalf of the appellants as well as the respondents.
2. By order dated 02.05.2025, this Court has framed the following substantial question of law “

“Whether the decree of recovery of amount could have been passed against defendant no.2 who is Director of defendant no.1 Company ?

3. During the course of the arguments, learned counsel for the respondents/plaintiffs submitted that the respondents are not going to execute the decree against appellant no.2/defendant no.2 in his personal capacity.
4. The statement is accepted.
5. In view of the statement, nothing survives in this appeal. Accordingly, the Second Appeal is dismissed. No order as to the costs.

(M.W.Chandwani, J.)