

**THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HON'BLE JUSTICE GADI PRAVEEN KUMAR**

**I.A.NO.1 OF 2025
IN/AND
CIVIL MISCELLANEOUS APPEAL NO.218 OF 2025**

Mr. S Ganesh, learned counsel appearing for the appellants.

Mr. Kunal Kakkad, learned counsel representing Mr. B. Mohan, learned counsel appearing for the respondents.

COMMON JUDGMENT: (Per Hon'ble Justice Moushumi Bhattacharya)

1. After relying on the judgments on the point of maintainability, learned counsel appearing for the appellants seeks to withdraw the Civil Miscellaneous Appeal and convert the same into a Commercial Court Appeal under the provisions of The Commercial Courts Act, 2015.
2. I.A.No.1 of 2025 and CMA.No.218 of 2025, along with all connected applications, are hence dismissed as withdrawn.
3. Liberty to file a Commercial Court Appeal as prayed for.

4. It is made clear that the appellants shall deal with the limitation aspect with regard to the Commercial Court Appeal as and when the Appeal is filed.

Interim orders, if any, shall stand vacated. There shall be no order as to costs.

MOUSHUMI BHATTACHARYA, J

GADI PRAVEEN KUMAR, J

Date: 18.08.2025
NDS

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