



2025:DHC:2330-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO (COMM) 89/2025, CM APPL. 19729/2025, CM APPL. 19730/2025 & CM APPL. 19731/2025**

BIG BOY TOYZAppellant
Through: **Mr. Arun Khatri, Adv.**

versus

**BMW INDIA FINANCIAL
SERIVICES PVT LTD & ORS.**Respondents
Through:

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)
03.04.2025

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1. Mr. Arun Khatri, learned Counsel for the appellant seeks leave to withdraw this appeal as he submits that he would move an appropriate application before the learned Commercial Court as, in his submission, the impugned order has seriously prejudiced his interest without him being co-opted as a party either in the arbitral proceedings or before the learned Commercial Court in the Section 34 proceedings.

2. Leave and liberty is granted as aforesaid. The appeal is disposed of as withdrawn.

3. However, we do not express any opinion on the merits of the



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review petition or any other application which, if and when moved, would be considered by the learned Commercial Court on their own merits.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

APRIL 3, 2025

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Click here to check corrigendum, if any