



\$~69

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO (COMM) 111/2025**

RAKESH KUMAR

.....Appellant

Through: Mr. Shobhan Mahanti, Mr. Siddhant
Katyal, Ms. Vidhi Jain, Advs.

versus

SAURABH DAYAL AND ANR

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

%

05.05.2025

CM APPL. 27098/2025 & CM APPL. 27100/2025 (Exemption)

Allowed, subject to all just exceptions.

FAO (COMM) 111/2025 & CM APPL. 27099/2025

1. The present Appeal under Section 13 of the Commercial Courts Act, 2015 has been filed by the Appellant challenging the Order dated 18.01.2025, passed by the learned District Judge (Commercial) – 02, South-East District, Saket, in CS (Commercial) No.737/2022.
2. Learned Counsel for the Petitioner seeks permission to withdraw the present Petition with liberty to take steps in accordance with law.
3. Leave and liberty, as sought for, is granted.
4. It is made clear that as and when and if and when alternate steps are taken by the Appellant, the competent Court, while considering the issue of



limitation, would take into account Section 14 of the Limitation Act, 1963 while calculating the period of limitation.

5. The appeal is disposed of as withdrawn, along with the pending applications.

6. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

HARISH VAIDYANATHAN SHANKAR, J

MAY 05, 2025

Rahul