



2025:DHC:5689-DB



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

+ **FAO(OS) (COMM) 94/2025 & CM APPL. 32334/2025**

GEM SALES CORPORATIONAppellant

Through: Mr A.K Singla, Sr. Adv. with
Mr. Akash Jandiyal and Mr. Rohan
Sehrawat, Advs.

versus

SHIVAM CORPORATION INDIARespondent

Through: Dr. Pankaj Garg, Mr. Yaksh
Garg and Ms. Yashna Ahuja, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

% **15.07.2025**

1. Apropos the argument of learned Counsel for the respondent that the present appeal is not maintainable in terms of Section 13A of the Commercial Court Act read with Order XLIII of the CPC, Mr. Singla, learned Senior Counsel for the appellant seeks leave to withdraw this appeal with liberty to move an appropriate forum in appropriate proceedings.

2. Leave and liberty is granted as aforesaid.

3. The appeal is dismissed as withdrawn.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

JULY 15, 2025/dsn