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

+ RFA(COMM) 18/2025 & CM APPL. 1695/2025, 1696/2025

M/S AMLOH AGGARWAL STORESAPPELLANT

Through: Mr. Vishwanathan Iyer, Ms.
Shimpy Sharma and Ms. Yeshasvi
Shrivastava, Advs.

versus

M/S LSC MARKETING INDIA PVT. LTDRESPONDENT

Through: Mr. Deepak Biswas and Mr. J.
Khan, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

28.01.2025

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1. Mr. Biswas, learned Counsel for the respondent cites *Kandla Export Corporation v OCI Corporation*¹, along with the proviso to Section 13(A) of the Commercial Courts Act, to submit that this appeal would not be maintainable as it does not assail an order passed under Section 43 of the Code of Civil Procedure, 1908.

2. Mr. Vishwanathan Iyer, learned Counsel for the appellant seeks leave to withdraw this appeal submitting that he would pursue remedies which may be available to him in law.

¹ (2018) 14 SCC 715



2025:DHC:559-DB



3. Accordingly, this appeal is disposed of as withdrawn.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

JANUARY 28, 2025

SSC

Click here to check corrigendum, if any