

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 3436 of 2026****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2026****In R/FIRST APPEAL NO. 3436 of 2026**

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T RAVI, GENERAL MANAGER (SOUTH), M/S BRIDGE AND ROOF
COMPANY (I) LTD.

Versus

CLIMAX SYNTHETICS PVT. LTD.

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Appearance:

MR DHRUV CHADHA for MR FEHAD A MEMON(13378) for the
Appellant(s) No. 1

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR. JUSTICE D.N. RAY

Date : 31/07/2026

ORAL ORDER

**(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)**

1. This is a wholly misconceived appeal filed under Section 13 of the Commercial Courts Act, 2015 to challenge the judgement and order dated 24.02.2026 passed by the Commercial Appellate Court in an appeal under Section 13 of the Commercial Courts Act, 2015 (in short as the "Act' 2015") against the judgment and decree dated 06.04.2023 passed by the Commercial Court in Commercial Civil Suit No. 5 of 2023.
2. On a query made by the Court as to how another appeal in the shape of First Appeal under Section 13 of the Act' 2015 would be maintainable challenging the order of the

Commercial Appellate Court, the answer is that there is no bar under Section 13 of the Act' 2015 to maintain another appeal to assail the orders of the trial court as well as Commercial Appellate Court.

3. This submission deserves to be rejected outrightly from the reading of Section 13 of the Act' 2015 wherein sub-section (2) categorically provides that no appeal shall lie from any order or decree of Commercial Division or Commercial Court otherwise than in accordance with the provisions of the Act. Sub-section (1) of Section 13 provides one level of appeal to a person aggrieved by the judgement or order of the Commercial Court below the level of the District Judge, who may file appeal to the Commercial Appellate Court.
4. Sub-section (1A) however, provides the remedy of appeal to the commercial division of a High Court to a person aggrieved by the judgement and order of a commercial court at the level of District Judge exercising civil jurisdiction. The proviso to sub-section (1A) further provides remedy of appeal against interlocutory order of the Commercial Courts that are specifically enumerated under Order XLIII of the Code of Civil Procedure and as amended by the Act' 2015 and Section 37 of the Arbitration and Conciliation Act, 1996.
5. From the above, it is more than evident that no further appeal in the shape of First Appeal under Section 13 of the Act' 2015 would be maintainable before the High

Court against an order of the Commercial Appellate Court, inasmuch as, no second level appeal has been provided under the Act.

6. The present appeal is accordingly, dismissed as not maintainable. Pending Civil application would not survive and shall stand disposed of, accordingly.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

BIJOY B. PILLAI