

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 3807 of 2024****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2024****In R/FIRST APPEAL NO. 3807 of 2024****With****R/CIVIL APPLICATION NO. 1772 of 2026****In****R/FIRST APPEAL NO. 3807 of 2024**

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DENA BANK**Versus****VISNAGAR NAGRIK SAHKARI BANK LIMITED & ORS.**

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Appearance:**MR.MIHIR THAKORE,SR.ADVOCATE WITH MR.MAULIK NANAVATI,****ADVOCATE FOR NANAVATI & CO.(7105) for the Appellant(s) No. 1****HARD S SONI(9357) for the Defendant(s) No. 3****SERVED BY RPAD (N) for the Defendant(s) No. 2****MR.DIPAK DAVE, ADVOCATE WITH MR.VASIM MANSURI(8824) for the****Defendant(s) No. 1**

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CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE**SUNITA AGARWAL****and****HONOURABLE MR.JUSTICE D.N.RAY****Date : 31/08/2026****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)**

1. The only argument raised to assail the judgment and decree dated 19.09.2024 passed by the Commercial Court, City Civil Court in Commercial Civil Suit No. 564 of 2021 in the present appeal filed under Section 13 of the Commercial Courts Act, 2015 is that the appellant Bank, namely, Bank of Baroda, with whom the erstwhile bank, namely, Dena Bank had been merged, has not been substituted before the

Commercial Court and the judgment and decree dated 19.09.2024 is a nullity, having been passed behind the back of the appellant Bank, namely, Bank of Baroda, when the Dena Bank had been merged with the notification dated 02.01.2019 of the Ministry of Finance, Government of India.

2. However, after a brief submission, Mr.Mihir Thakore, learned Senior Advocate assisted by Mr.Maulik J. Nanavati, learned Counsel for the appellant would submit that the appellant be permitted not to press the present appeal as the appellant proposes to raise all issues before the competent Court, whenever the decree is put to execution.

3. In view of the above statement, the present appeal stands dismissed as not pressed. It is clarified that this Court has not entered into the merits of the contention of learned Counsel for the appellant. Consequently, the connected Civil Applications stand disposed of.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

BINA SHAH