

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO. 1515 OF 2025**

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M/s. Modi Metals, Mumbai ...Appellant  
Versus  
M/s. Neel Controls, Mumbai And Ors. ...Respondents

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Mr. U.H. Narvekar i/b. Mr. J.N. Jain, for Appellant.  
Ms. Henna P. Shah, for Respondent Nos.1, 3 & 4.

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**CORAM : M.M. SATHAYE, J.**

**DATE : 4<sup>th</sup> AUGUST, 2025**

**P.C. :**

1. Heard learned advocates for the Appellant and learned counsel for Respondent Nos.1, 3 & 4.
2. The Appellant is original Plaintiff who had filed suit for recovery of amount under provisions of Order 37 Rule-2 of Civil Procedure Code, 1908. Learned advocate for the Respondents submits that since it is held that the Plaintiff has not supplied the goods to the Defendants, the suit has been dismissed.
3. It is urged that considering the narrow compass of the dispute, the appeal may not admitted and instead should be heard finally.
4. Issue notice to the Respondents, returnable on 02.09.2025. Learned counsel for the Respondent Nos.1, 3 & 4 waives service. Call record and proceedings. If time permits, an endeavor will be made finally to hear and dispose of the appeal at the admission stage.

**(M.M. SATHAYE, J.)**