



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF FEBRUARY, 2025

PRESENT

THE HON'BLE MR JUSTICE V KAMESWAR RAO

AND

THE HON'BLE MR JUSTICE T.M.NADAF

R.F.A NO. 398 OF 2025 (MON)

BETWEEN:

M/S RADHA KRISHNA EXPORTS
A PROPRIETARY CONCERN,
CARRYING ON BUSINESS AT
NO.257/3, 2ND FLOOR,
SRI. KRISHNA PLAZA,
OLD THARAGUPET,
BENGALURU – 560 053
BY ITS PROPRIETOR,
MR. BHOMRAJ CHOUDARY

...APPELLANT

(BY SMT. MAINA VARMA, ADVOCATE)

AND:

M/S SRI.MANSUKH INTERNATIONAL
CARRYING ON BUSINESS AT
NO.2. 2ND FLOOR,
AMRUTHAVAHINI COMPLEX,
NO.581 AND 582,
OPP ING VYSYA BANK,
AVENUE ROAD,
BENGALURU – 560 002
BY ITS PROPRIETOR
MR. CHAIN SINGH

...RESPONDENT





THIS RFA IS FILED UNDER SECTION 96 OF CPC, PRAYING TO SET ASIDE THE JUDGMENT AND DISMISSAL DATED 04.12.2024 PASSED IN COMM O.S.NO.948/2024 BY THE LEARNED LXXXIV ADDITIONAL CITY CIVIL AND SESSIONS JUDGE COMMERCIAL COURT AT BENGALURU (CCH-85), ETC

THIS APPEAL COMING ON FOR ORDERS THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE V KAMESWAR RAO
and
HON'BLE MR JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR JUSTICE V KAMESWAR RAO)

Registry has raised an issue on the maintainability of the present Regular First Appeal on the ground that impugned order has been passed in a commercial suit filed by the sole respondent.

2. The counsel for the appellant states, she shall convert the Regular First Appeal into a Commercial Appeal.

3. Noting the submission made, the present Regular First Appeal shall be treated as ***disposed of*** for statistical



purpose granting liberty to the appellant to convert the appeal as a commercial appeal.

**Sd/-
(V KAMESWAR RAO)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

MH/-
List No.: 1 Sl No.: 20