



NC: 2026:KHC-D:14776-DB
COMAP No. 100017 of 2022

CNR: KAHC020031442022

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

AND

THE HON'BLE MRS JUSTICE HEMA KULKARNI

COMMERCIAL APPEALS NO. 100017 OF 2022

BETWEEN:

SMT. SHOBHA GIRIDHAR W/O. GIRIDHAR PEETLA,
"MYTRI MINERALS TRADING CO."
SY.NO.989, 3RD CROSS, VIDYA NAGAR,
KOLAGAL ROAD, NEAR OPD, BALLARI,
KARNATAKA - 583 103

...APPELLANT

(BY SRI. SADIQ N. GOODWALA, ADVOCATE)

AND:

M/S. SPEED ROADWAYS PRIVATE LIMITED,
NO.34, 2ND FLOOR, 2ND CROSS,
S.G.NARYANA LAYOUT, LALBAGH ROAD,
BENGALURU - 560 027,
AND HAVING THE BRANCH OFFICE AT
M/S. SPEED ROADWAYS PRIVATE LIMITED,
INDUSTRIAL COMPLEX, NEAR SAI BABA CIRCLE,
DAM ROAD, HOSAPERE, BALLARI DISTRICT,
BY ITS AUTHORIZED MANAGER,
SHRI. AKHIL GARG S/O. LATE SURAJMAL GARG,
AGE: 33 YEARS, R/O: DOOR NO. 1314/A,
GOKUL NAGAR, OPPOSITE GUJJAL PETROL PUMP,
BEHIND SAI BABA TEMPLE, T.B.DAM HOSAPETE,
BALLARI DISTRICT - 583 225.

...RESPONDENT

(BY SRI. SHARDDHA MOMAYA &
SRI. SWASTIKA NANDY, ADVOCATES)



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THIS COMMERCIAL APPEAL IS FILED UNDER SEC. 13(1) OF COMMERCIAL COURTS ACT, 2015, PRAYING TO SET ASIDE THE JUDGEMENT AND DECREE DATED 18.10.2021 PASSED BY THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE (COMMERCIAL COURT) BALLARI IN COM O.S.NO.197/2019 BY DISMISSING THE SUIT, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA
AND
HON'BLE MRS JUSTICE HEMA KULKARNI

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE M.NAGAPRASANNA)

Learned counsel for the appellant has filed a memo dated 07.09.2026 seeking leave of this Court to withdraw the appeal as not pressed. The said memo reads as under:

"1. The Appellant submits that during the pendency of the above appeal, the dispute between the Appellant and the Respondent has been amicably settled out of Court.

2. In view of the said settlement, the Appellant does not intend to prosecute the above appeal any further and, therefore, seeks permission of this Hon'ble Court to withdraw the above appeal as not pressed.

3. The Appellant further submits that, pursuant to the interim order passed by this Hon'ble Court, the Respondent has deposited a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) before the Trial Court in the concerned Execution Case.

4. In view of the settlement arrived at between the parties, the Appellant has no objection for the Respondent to withdraw and the aforesaid deposited amount of Rs.15,00,000/-, and the Respondent may be granted liberty to withdraw the said amount from the Trial Court in the concerned Execution Case.



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5. *WHEREFORE, the Appellant respectfully prays that this Hon'ble Court may be pleased to permit the Appellant to withdraw the above appeal as not pressed in view of the settlement arrived at between the parties, and further be pleased to grant liberty to amount the Respondent to withdraw the deposited of Rs.15,00,000/- from the Trial Court in the concerned Execution Case, in the interest of justice and equity."*

In view of the memo, the appeal is disposed of as withdrawn.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

**Sd/-
(HEMA KULKARNI)
JUDGE**

RSH/CT: ASC
List No.: 1 Sl No.: 65