

**IN THE COURT OF APPEAL, FIJI**  
**ON APPEAL FROM THE HIGH COURT**

**CIVIL APPEAL NO. ABU 030 of 2020**  
**(High Court Civil Action No. HBE 21 of 2019)**  
Companies (Winding Up)

**IN THE MATTER of MOKSHA PTE LIMITED**  
a limited liability company having its registered  
office at Lot 59, Maui Bay West Road,  
Maui Bay Estate, Baravi.

**Coram** : (Dr) Almeida Guneratne, P  
Jitoko, VP  
Basnayake, JA

**Counsel** : Mr. A. Prasad for the Appellant  
Ms. L. Jackson for the Respondent

**Date of Hearing** : 02 May, 2023

**Date of Judgment** : 26 May, 2023


**JUDGMENT**

[1] The learned counsel appearing for the Appellant filed a motion dated 11 April 2023 with a copy to the Solicitors for the Respondent seeking to withdraw and discontinue the appeal for the reasons stated in the motion. When this case was taken up for argument the learned counsel for the Appellant moved in open court that he is seeking to withdraw the appeal. The learned counsel appearing for the Respondent did not object to the withdrawal subject to costs.

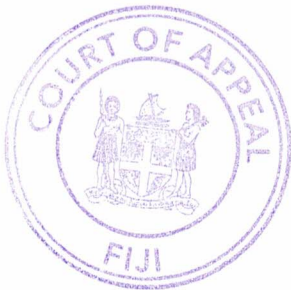
- [2] Having considered the fact that the Respondent had been given prior notice of the withdrawal and other circumstances, costs in a sum of \$500.00 is considered justified.
- [3] Whilst allowing the application for withdrawal, the appeal of the Appellant is dismissed with costs of \$500.00 payable to the Respondent within 28 days from the date of this judgment.

**Orders of Court are:**

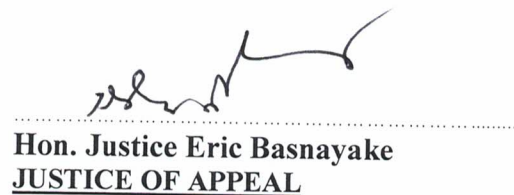
1. *The appeal is dismissed.*
2. *The Respondent/Appellant to pay costs \$500.00 to the Applicant/Respondent within 28 days from the date of this judgment.*



.....  
**Hon. Justice (Dr) Almeida Guneratne**  
**PRESIDENT, COURT OF APPEAL**



.....  
**Hon. Justice Filimone Jitoko**  
**VICEPRESIDENT, COURT OF APPEAL**



.....  
**Hon. Justice Eric Basnayake**  
**JUSTICE OF APPEAL**