



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2532 OF 2026

NARI J KHUBCHANDANI THR POA

DHANOTTAM V LONKAR

..PETITIONER

VS

MANOJ ISSARDAS ATHWANI & ORS

..RESPONDENTS

Adv. S. S. Panchpor a/w. Adv. Mahima Sharma, Adv. Andil Parmeshwar for petitioner.

Adv. Soumitra C. Jadhav for respondent nos.1 & 2.

CORAM : ARUN R. PEDNEKER, J.

DATE : 19th AUGUST, 2026.

Per Court :

1. Heard learned counsel appearing for the petitioner.
2. Undisputedly, in the instant case, the notice of the application u/s.18(1) of the Maharashtra Rent Control Act,1999, is served upon the present petitioner/respondent in the application, on 4th October 2024. He has filed his reply along with vakalatnama on 6th January 2025 i.e. within 94 days from the date of the service.

3. Learned counsel for the applicants submits that even applying the principle of Order VIII, Rule 1 of Code of Civil Procedure, the time limit to file the same would be 30 days plus 60 days. In the instant case, the delay would be further of another three-four days. However, the Supreme Court has observed in the case of *Atcom Technologies Limited vs. Y. A. Chunawala and Company* reported in *(2018) 6 SCC 639*, *that* the delay can be condoned for sufficient reason and that other party can be compensated with cost.

4. Considering the delay being the minor, the delay is condoned subject to the payment of cost of Rs.10,000/- to be deposited in the trial Court within a period of four weeks.

5. The petition stands disposed of.

[ARUN R. PEDNEKER, J.]