

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.792 OF 2015
IN
SUMMARY SUIT NO.230 OF 2015**

Shiva Infraonstro Corporation Pvt. Ltd.	).. Plaintiffs
Vs.	
M/s.Ketan Constructions Ltd. JV and	)
Tekon Infrastructure Private Ltd.	).. Defendants

Mr.Rajeev R.for the plaintiffs.
Ms.Sneha Phane i/by Gireesh U.G.Menon for the defendants.

CORAM : K.R.SHRIRAM, J.

DATE : 11th August, 2015

P.C.

1 This Notice of Motion is for condonation of delay in filing the Vakalatnama. Though in prayer clause-(a) it is mentioned that delay is only of 6 days, from the affidavit in support, it appears that the delay is about 9 or 10 days. I have considered the affidavit in support. Though the counsel for the plaintiffs states that there is no sufficient cause explained, I have considered paragraphs-2 & 3 of the affidavit in support. I am satisfied that the delay requires to be condoned.

2 In the circumstances, Notice of Motion is allowed in terms of prayer

clauses-(a) and (b). Registry to accept the Vakalatnama and take the same on record.

3 The counsel for the defendants states that even though the Summons for Judgment was taken out before the defendants' vakalatnama was filed and taken on record, they have no objection if the summons for judgment is heard. The counsel also states that they have been served copy of the summons for judgment. The counsel for the defendants states that affidavit in reply to the summons for judgment is already filed but prays leave to file further affidavit in reply. Leave granted. Further affidavit in reply to be filed within two weeks from today. Rejoinder, if any, to be filed within one week thereafter.

Stand over to 15.9.2015.

(K.R. SHRIRAM, J.)