

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

WRIT PETITION NO. 6477 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S. M. Gorwadkar, Sr. Counsel with P. J. Ramchandani with R. Shah i/b Haresh Advani for the Petitioner.

Mr. Rajesh Jain with Kalyani Joshi with Ameya Mahajan i/b Legal Juris for Respondent nos. 1 to 3.

CORAM : K. K. TATED, J.

DATED : 14/06/2016

PC.:

. Not on board. At the request of Advocate for the defendant Nos. 1 to 12, matter is taken on board for urgent orders.

2 By this petition under Article 227 of the Constitution of India, the petitioner newly added defendants challenge the order dated 12.04.2016 passed by Bombay City Civil Court at Bombay in Notice of Motion No. 1188 of 2016 in Suit No. 3741 of 1998 declined to grant time to file written statement after prescribed period as per Code of Civil Procedure, 1908.

3 The learned Counsel for the respondent plaintiff submits that they have no objection if the added defendants filed their written statement

within two weeks from today and served copy on them without prejudice their rights and contentions. He submits that the suit is already expedited by this Court. Hence, he is giving consent to the added defendants to file their written statement, so that there should not be any delay in deciding the suit.

4 The learned Senior Counsel appearing on behalf of petitioner added defendants makes a statement that added defendants undertakes to file their written statement within two weeks from today and serve copy on other side. Statement is accepted.

5 Hence, by consent of both the parties, following order is passed without giving any reasons.

a) Order passed by the Trial Court dated 12.04.2016 declined to extend the time to file written statement on behalf of added defendant is set aside.

b) Added Defendants granted time till 28.06.2016 to file their written statement and serve copy on other side.

c) All contentions of both the parties are kept open.

d) After filing of written statement, matter to proceed on its own merits.

e) Writ Petition stands disposed of accordingly.

(K.K.TATED, J.)