

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

**SUMMONS FOR JUDGMENT NO. 64 OF 2015
IN
SUMMARY SUIT NO. 446 OF 2014
WITH
CHAMBER SUMMONS NO. 1540 OF 2015**

FDC International NV/SA

...Plaintiff

vs.

M/s.Baader Schulz Laboratories

....Defendant

Dr.Abhinav Chandrachud with Ms.Jasmine Upadhve i/b. M.V. Kini & Co. for
Plaintiff.

Mr.Bharat Gandhi i/b. K.C. Pandey for Defendant.

CORAM : S.C. GUPTE, J.

11 JANUARY 2016

P.C. :

The chamber summons is taken out for condonation of delay in filing a reply to the summons for judgment. The excuse sought to be made out for condonation of delay has been the same that was given in the earlier chamber summons for condonation of delay in filing vakalatnama. An order condoning delay in filing vakalatnama was passed on that chamber summons and the Defendant was directed to pay costs. Even today on the same excuse, condonation of delay is sought. Since it is not in the interests of justice to deny of an opportunity to the Defendant to defend the summons for judgment, the application for condonation of delay is allowed, but subject to payment of costs of Rs.15,000/-. The costs to be a condition precedent.

2 The Defendant is also directed to serve copies of documents, which are said to be annexed to the reply served on the Plaintiff and complete the copy of the reply served. The Defendant to file its reply within a period of one week from today. Rejoinder, if any, within one week thereafter. The summons for judgment to come up for hearing on 1 February 2016.

3 The chamber summons is disposed of .

(S.C. Gupta, J.)