

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 395 OF 2018

IN

WRIT PETITION NO. 479 OF 2018

MERCHANT PRIME SHIPPING II LLC AND
ANR.,

... Applicants

Versus

ARUL LINU GRABS PVT. LTD., AND 2
ORS.,

... Respondents

Shri Minesh Andharia and Shri Jatin Ramaiya, Advocates for the
applicants.

Shri Bhargav M. Khandeparkar, Advocate for the respondents.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 12th June 2018

P.C.:

Heard Shri Minesh Andharia, learned Advocate for the
applicants and Shri Bhargav Khandeparkar, learned Advocate for
the respondents.

2. Shri Jatin Ramaiya, learned Advocate who was earlier
appearing on behalf of the applicants came forth with an
assertion that he had not made any submission on the scheduled
date that there was clear understanding that the respondents
would not oppose the application for enlargement of time.
Considering the statement made by the learned Counsel across
the bar and although the said statement ought to have come forth

at the relevant time or soon thereafter, nonetheless considering equity in favour of the parties and that no serious prejudice would be occasioned to the respondents, the order is modified to the extent that the Trial Court would enlarge the time as prayed for by the applicants. To that extent the order stands modified.

3. The application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

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