

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1652 OF 2018
IN
WRIT PETITION No.687 OF 2015**

M/s.Siddhi Promoters

... Applicants/
Petitioners

Vs.

Anita Krishnarao Shirolkar
alias Janaki Vikas Morey

... Respondent

Ms.Shraddha Achliya with shriram Nimbalkar i/b Juris corp. for the
Applicants/Petitioners

Mr.Sushil Inamdar i/b M.J. Jamdar for Respondent No.1

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: AUGUST 2, 2018**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. Rule. As a short point is involved, by consent, Rule made returnable forthwith and heard finally.
3. In this application, the order passed on 13.6.2018 by the learned Civil Judge, Senior Division, Pune, below exhibit 176 in Special Civil Suit No.1421 of 2006, is challenged whereby the application for condonation of delay of 3 days in filing the written

statement was rejected. The applicant prays for extension of the time to file written statement. By order dated 30.1.2018, this Court in Writ Petition No.687 of 2015 has directed the petitioner to file written statement within a stipulated time. However, there is a delay of 3 days and hence, the trial Court has refused to condone the same.

4. Learned Counsel for the respondent/original plaintiff is present and he submits that the respondent's no objection is already recorded by the trial Judge while passing the order. The learned Counsel maintains the same stand.

5. In view of this, the delay of 3 days is condoned. The order of the trial Judge is set aside. Rule is made absolute accordingly.

(MRIDULA BHATKAR, J.)