

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

Rajesh V. Chittewan
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Date: 2021.01.05 13:23:54 +0530

**COMMERCIAL SUIT NO.208 OF 2019
ALONG WITH
NOTICE OF MOTION NO.1400 OF 2019**

Technicians United	...	Plaintiff
Versus		
Life Insurance Corporation of India	...	Defendant

Mr. Vasim A. Shaikh i/b Pravin Mehta and Mithi & Co. for the Plaintiff.

Mr. Roop Basu i/b The Law Point for the Defendant/Applicant in
Notice of Motion No.1400 of 2019.

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CORAM : S.C. GUPTE, J.

DATE : 4 JANUARY 2021

P.C. :

. This Commercial Suit seeks declaration and specific performance. The Defendant is duly served and has filed Vakalatnama. The Defendant has not filed its written statement within initial period of 30 days. The Defendant has taken out a notice of motion, being Notice of Motion No.1400 of 2019, for condoning delay of 50 days for filing of written statement. In the affidavit in support of this notice of motion, the Defendant has set out circumstances, in which written statement could not be filed within time. For the reasons stated, the

delay in filing the written statement deserves to be condoned. Accordingly, the Notice of Motion is made absolute in terms of prayer clauses (a) and (b). The Defendant shall, however, pay the costs of this notice of motion, quantified at Rs.1,00,000/- (Rs.One Lac Only) to the Plaintiff. The costs shall be paid within four weeks and shall be condition precedent for taking the written statement on record. The Commercial Suit to appear on board after six weeks for directions.

(S.C. GUPTE, J.)