

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

INTERIM APPLICATION NO. 2897 OF 2021

IN

COMMERCIAL IP SUIT NO. 249 OF 2021

Hotel Amarjit Pvt.Ltd.

...Applicant/
Original Defendant

IN THE MATTER BETWEEN :-

Novex Communications Private Ltd.

...Plaintiff

Versus

Hotel Amarjit Pvt.Ltd.

...Defendant

Ms. Nirali Shah i/by Dua Associates for the Respondent/Original Plaintiff.

Mr. Chirag Chanani i/by Dewani & Associates, for the Applicant.

CORAM : N. J. JAMADAR, J.

DATE : 25th NOVEMBER, 2021

P.C.:

1. Heard the learned counsel for the parties.
2. This application is taken out seeking permission to file the written statement as the 30 days period has expired on 15th October, 2021.
3. In view of the provisions contained in Order 8 Rule 1 of the Code as amended by the Commercial Courts Act, the defendant can be permitted to file written statement beyond the period of 30 days of service of summons but not later than 180 days.

4. The defendant-applicant has preferred this application seeking permission to file a written within 10 days from the expiry of the 30 days period.

The applicant-defendant has ascribed justifiable reasons in Para Nos. 4 & 5 of the application.

5. For the reasons assigned in the application and to advance the cause of substantive justice, the application deserves to be allowed. Hence, the following order :

ORDER

- i) The application stands allowed in terms of prayer clause 'a'.
- ii) The defendant shall file the written statement in the registry and serve its copy on the plaintiff by tomorrow.
- iii) Application stands disposed of.

(N. J. JAMADAR, J.)

SAJAKALI
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JAMADAR

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