

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

INTERIM APPLICATION NO.286 OF 2019

IN

SUIT NO.467 OF 2019

Rajesh Virendra Tiwari & Ors.

... Applicants–Org. Def. 1 to 5

In the matter between

Pooja Land and Premises Pvt. Ltd.

... Plaintiff

V/s.

Rajesh Virendra Tiwari & Ors.

... Defendants

Mr. Shon D. Gadgil, i/by Mr. Parag M. Tilak and Ms. Shruti Tulpule, for the Applicant–Plaintiff.

Mr. Firoz Bharucha, with Mr. Sushant Arora and Ms. Ruchi Magoo, i/by L.R. & Associates, for Defendant Nos.1 to 5.

CORAM : A. K. MENON, J.

DATED : 3RD FEBRUARY 2021.

P.C. :

1. This IA seeks condonation of delay in filing written statement. The counsel on behalf of the plaintiff opposes condonation of delay. According to him, this IA has been served only today. He seeks time to file a reply to oppose the IA.

2. I have heard learned counsel for the parties. The defendants 1 to 5 are stated to have been served with writ of summons on or about 4th June 2019. Written Statements were since required to be filed within twelve weeks;

however, a delay of 37 days had occasioned when the IA had been filed on 3rd October 2019. A joint written statement is ready and today a copy thereof has been served upon the Advocate for the plaintiff.

3. Considering the reasons set out in the IA, in particular paragraph 4, and that the joint written statement on behalf of defendants 1 to 5 is now ready, I see no reason to adjourn this IA. Accordingly, I pass the following order :-

- (i) IA is allowed in terms of prayer clauses (a) and (b). Written Statement to be filed on or before 6th February 2021.
- (ii) IA is disposed in the above terms.

(A. K. MENON, J.)

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