

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.1663 OF 2020
IN
COMMERCIAL SUMMARY SUIT NO.1261 OF 2019**

M/s. Bhawar Interiors

... Applicant (Org. Defendant)

In the matter between

NHS Enterprises LLP

... Plaintiff

Vs.

M/s. Bhawar Interiors

... Defendant

Mr. Shreyas Gawankar h/f Mr. Hemant Ghadigaonkar for the Applicant/
original Defendant.

Mr. Jeetendra Ranawat i/by Waquar Ahmad for the Respondent/Original
Plaintiff.

CORAM : ARIF S. DOCTOR, J.

DATE : 21ST DECEMBER 2022

P.C. :

1. The present Interim Application seeks condonation of delay of a
period of 89 days in filing the Vakalatnama of the Advocate for the Defendant.

2. The reason stated in the Interim Application is that the previous
advocate engaged by the Defendant did not take the requisite steps to file the
Vakalatnama. This is again another unfortunate instance of a party blaming the

advocate without there being any substantial material on record to substantiate the claim. This is a practice which must be deprecated and not encouraged.

3. The learned Counsel appearing on behalf of the Plaintiff states that he has no objection to this Interim Application being allowed, however submits that the same be allowed subject to some costs.

4. The said application is allowed in terms of prayer clause (a), subject to the Defendant paying costs of Rs.5,000/- towards the Advocates Welfare Fund. The costs to be paid as a condition precedent to filing the Vakalatnama.

5. The Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)