

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

INTERIM APPLICATION NO.4880 OF 2022
IN
COMMERCIAL ADMIRALTY SUIT NO. 37 OF 2022

National Insurance Company ...Applicant

In the matter between

Marine Infrastructure (Goa) Pvt. Ltd. ...Plaintiff

vs.

Chowgule Lavgan Shiprepair Pvt. Ltd. and Ors. ...Defendants

Ms. Usha Dalvi i/b. Dinesh Gupta, for the Applicant.

Ms. Shrishty Punjabi i/b. Rex Legalis, for the Respondent/Plaintiff.

CORAM : N. J. JAMADAR, J.

DATE : NOVEMBER 29, 2022

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
PAREKAR

Date: 2022.11.30
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P.C.:

1. Heard the learned counsel for the parties.
2. This Interim Application is taken out by applicant/defendant No. 2 seeking condonation of delay of 78 days in filing written statement. The writ of summons was served on the defendant No. 2 on 2nd August, 2022. The application is taken out on 17th November, 2022.
3. The learned counsel for the plaintiff submits that the plaintiff does not wish to oppose the application.
4. There are justifiable reasons ascribed in paragraph 3 of the application to condone the delay in filing the written statement. Thus to advance the cause of substantive justice, 78 days delay in

filing written statement stands condoned.

5. The defendant No. 2 shall file written statement in the Registry on or before 2nd December, 2022.

6. The application stands allowed.

(N. J. JAMADAR, J.)