

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

INTERIM APPLICATION NO.4915 OF 2022
IN
COMMERCIAL ADMIRALTY SUIT NO. 37 OF 2022

Chowgule Lavgan Shiprepair Pvt. Ltd. ...Applicant

In the matter between

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

vs.

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

Ms. Shyam Kapadia a/w. Mr. Prateek Pansare, Mr. Siddharth Manek i/b. Crawford Bayley & Co., for the Applicant/Ori. Defendant No. 1.

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

CORAM : N. J. JAMADAR, J.

DATE : NOVEMBER 29, 2022

P.C.:

1. Heard the learned counsel for the parties.
2. Leave to amend.
3. Amendment be carried out forthwith.
4. Re-verification dispensed with.
5. This Interim Application is taken out by applicant/defendant No. 1 seeking condonation of delay of 82 days in filing written statement. The writ of summons was served on the defendant No. 1 on 1st August, 2022. The application is taken out on 21st November, 2022.
6. The learned counsel for the plaintiff submits that the plaintiff

does not wish to oppose the application.

7. There are justifiable reasons ascribed in paragraph Nos. 4, 5 and 6 of the application to condone the delay in filing the written statement. Thus to advance the cause of substantive justice, 82 days delay in filing written statement stands condoned.

8. The defendant No. 1 shall file written statement in the Registry on or before 2nd December, 2022.

9. The application stands allowed.

(N. J. JAMADAR, J.)