

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4232 OF 2018
IN
FIRST APPEAL (STAMP) NO. 19327 OF 2018**

Tata Motors Limited

...Applicant

IN THE MATTER BETWEEN

Tata Motors Limited

...Appellant

Versus

Daga Global Chemicals Private Ltd. & Ors.

...Respondents

.....

Mr. Abhishek Khare a/w Mr. R.P. Shirole, Ms. Anusya Raghavan for the Applicant/Appellant.

Mr. Pankaj S. Shah for the Respondent No.1.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 16th MARCH, 2023.

P.C.

1. Heard learned Counsel for the Applicant and the Respondents.

2. A delay of 82 days has been occurred in preferring this First Appeal against Judgment and Decree passed by the City Civil Court, Mumbai on 28th February, 2018. It is submitted by the learned Counsel for the Applicant that he has assigned reasons in para 3 and 3A of the

Application stating the grounds which are bona-fide. It is submitted that sufficient cause has been shown, which resulted into the delay and, therefore, it needs to be condoned.

3. The learned Counsel for the Respondents with his detailed reply, strongly objected the condonation of delay, more particularly, for the reasons stated in para 6 of the reply.

4. It has been a settled position of law that all disputes of civil nature, as far as possible, should be decided on merits. Even otherwise, it can be seen that the delay is not inordinate.

5. As such, the Application is allowed and the delay stands condoned.

6. Registry shall number the Appeal.

7. The Application stands disposed off in the aforesaid terms.

8. List the Appeal for admission in the week commencing from 19th June, 2023.

[PRITHVIRAJ K. CHAVAN, J.]