

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

**INTERIM APPLICATION NO.2136 OF 2023
IN
SUIT (L) NO.75 OF 2022**

SHARADA
RANGNATH
WAHULE

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Facebook, Inc. ...Applicant/Defendant No.18

In the matter of

Umesh Kishor Kamat ...Plaintiff

VS.

News Nation Network
Pvt. Ltd. And Ors. ...Defendants

Mr. K. Manas i/b Shardul Amarchand Mangaldas & Co. for
the Applicant/Defendant No.18.

Mr. Sachin Kanse i/b PRS Legal for Defendant Nos.2 and
3.

Mr. Ashish Mishra i/b DMD Advocates for Defendant
Nos.8 and 9.

CORAM : S. M. MODAK, J.

DATED : 23RD AUGUST 2023

P. C. :

1. Heard learned Advocate for the Applicant-Defendant
No.18, learned Advocate for the Respondent-Plaintiff and
Defendants.

2. Writ of Summons was served on 1st March 2023, within
statutory period of 30 days. It expired on 31st March 2023.

Defendants could not file written statement. The period of 90 days expired on 30th June 2023. Whereas, present Interim Application is filed on 24th April 2023.

3. Contention is raised on behalf of the Plaintiff that they have simply filed Interim Application but there have not pursued it upto 7th August 2023. They were served on 7th August 2023. It is true that in between there was summer vacation. Ultimately, when circulated can be granted or not depends upon many circumstances. I do not find that there is any deliberate delay. I am not inclined to award any cost for condoning the delay. In view of that the following order is passed :-

- (i) Interim Application is allowed in terms of prayer clauses (a) and (b).
- (ii) Interim Application is disposed of.

[S. M. MODAK, J.]