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

**INTERIM APPLICATION NO. 2944 OF 2023
IN
SUIT NO. 49 OF 2022**

Next Estates & Projects Pvt. Ltd.
and Anr.

...Applicants
(Original Defendants)

In the matter between

Anjali Arun Shinde

...Plaintiff

vs.

Next Estates & Projects Pvt. Ltd.
and Anr.

...Defendants

Mr.Ditendra Mishra - Advocate for Applicant Nos.1 and 2 -
Original Defendant Nos.1 and 2.
Mr.Floyd Gracias - Advocate for Respondent - Original Plaintiff.

CORAM : S. M. MODAK, J.

DATED : 25th SEPTEMBER 2023

P. C. :

1. Heard learned Advocate for the Plaintiff-Respondent and learned Advocate for the Defendants - Applicants.
2. Learned Prothonotary as per the order dated 30th September, 2022 was pleased to grant time to file written statement till 16th November, 2022 failing which, the Suit will be transferred to Undefended Suits. For the reasons stated in the Application, the written statement could not be filed.

Satish Sangar

3. There is a delay of 227 days in filing the written statement. It is strongly opposed on behalf of the Plaintiff. The party needs to be given an opportunity to contest the Suit on merits.

4. Hence, for the reasons stated in the Application, the Application is allowed in terms of prayer clauses (a) and (b) subject to payment of cost of Rs.3,000/- (Rupees Three Thousand Only) to be paid to the Plaintiff within 3 weeks.

[S. M. MODAK, J.]