

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 3000 OF 2023
IN
SUIT NO. 414 OF 2022**

Deepa Paranjape and another ... Applicants/Defendants

In the matter between:

Chhaya Vasant Dengle and another ... Plaintiffs

vs.

Deepa Paranjape and another ... Defendants

Ms. Maithili Parekh a/w. Mr. Parantap Mahadevia, i/b. Nilesh R. Modi
(Rustamji & Ginwala) for applicants/defendants.

**CORAM : MANISH PITALE, J.
DATE : 04th OCTOBER, 2023**

P.C. :

. This application is moved on behalf of the defendants, seeking condonation of delay of 138 days in filing the written statement.

2. The learned counsel for the applicants/defendants has invited attention of this Court to paragraph Nos.2 to 8 to highlight the reasons as to why the delay has occurred in the present case.

3. There is no appearance on behalf of the plaintiffs to oppose the present application.

4. This Court has perused the contents of the application. It is found that in paragraph Nos.2, 3 5 and 8, the defendants have explained the logistical

problems faced by them in preparation of written statement and ensuring its filing before this Court. Defendants are residents of USA and this factor appears to have contributed in delay in preparation of the written statement.

5. It is further pointed out in paragraph No.4 of the application that maternal aunt of husband of defendant No.1, who is very close to defendant No.1, was diagnosed with terminal cancer. This caused stress to defendant No.1, further contributing to the delay in preparation of the written statement.

6. This Court is satisfied that sufficient grounds are made out for condoning the delay in filing the written statement.

7. Accordingly, the application is allowed and delay is condoned. Office is directed to take on record the written statement of the defendants.

(MANISH PITALE, J.)

Priya Kambli