

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.3826 OF 2022
IN
COMMERCIAL SUIT NO.46 OF 2022

Parekh Marine Services Pvt. Ltd. and another ... Applicants

In the matter between:

Bangera Seaworld Pvt. Ltd. ... Plaintiff

Vs.

Parekh Marine Services Pvt. Ltd. and another ... Defendants

WITH
INTERIM APPLICATION NO.1666 OF 2022
IN
COMMERCIAL SUIT NO.46 OF 2022

Mr. Vinay Taliwal i/b. Ms. Ashwani Jhingan for Plaintiff.

Ms. Sanika Kulkarni i/b. Mr. Adil Patel for Defendants.

CORAM : MANISH PITALE, J.
DATE : AUGUST 03, 2023

P.C. :

. By Interim Application No.3826 of 2022, defendant Nos.1 and 2 are seeking condonation of delay in filing written statement. It is submitted that there is a delay of 109 days in filing the written statement, although it is within the extended period of 120 days as provided under the provisions of the Code of Civil Procedure, 1908, as applicable to the commercial suits.

2. The applicants (defendant Nos.1 and 2) have stated in paragraphs 4 and 5 as to the reasons for the aforesaid delay.

3. This Court is satisfied that the sufficient cause is made out for condonation of delay. Hence, Interim Application No.3826 of 2022 is allowed. Delay is condoned. Registry is directed to take the written

statement on record.

4. Interim Application No.1666 of 2022 seeking interim reliefs is filed on behalf of the plaintiff. Reply affidavit is already on record. The plaintiff does not wish to file rejoinder affidavit.

5. List the application for hearing on 12.09.2023.

(MANISH PITALE, J.)

Minal Parab