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

INTERIM APPLICATION NO.15215 OF 2023

IN

COMM ARBITRATION APPEAL (ST) NO.20705 OF 2023

M/s. G.S. Associate (New)

through its partners

a) Anand Gorakh Thorat & Anr.

.. Applicants

In the matter between:

M/s. G.S. Associate (New)

through its partners

a) Anand Gorakh Thorat & Anr.

.. Appellants

Versus

M/s. Prathamesh City Estate LLP

through its partners

a) Abhay Arvind Mandhare & Anr

.. Respondents

UTKARSH
KAKASAHEB
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**Mr.Ashutosh Kumbhakoni, Senior Advocate i/b
Prathamesh Bhargude a/w Sharad Dhore,** Advocates for
the Appellant/Applicant.

Mr.Girish Godbole, Senior Advocate i/b Shivraj Patne,
Advocates for the Appellant in COARA(st)/13708/2023 and
Respondent in COARA(st)/20705/2023.

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE : JANUARY 03, 2024

P. C.

1. The above Interim Application is filed seeking a condonation of delay of 65 days in preferring the above Commercial Arbitration Appeal.

2. Mr.Godbole, the learned senior counsel appearing on behalf of the Respondent vehemently opposed the above Application on the ground that no sufficient cause has been made out therein to condone the delay.

3. We have heard Mr.Godbole and also perused the above Interim Application. The explanation for the delay has been set out in quite detail from paragraphs 3 to 6 thereof. After carefully perusing what is stated therein we are satisfied that sufficient cause is made for condoning the delay and for us to exercise our discretion in allowing the Interim Application. Accordingly, the delay is condoned.

4. Now that the delay is condoned, the Registry is directed to number the above Appeal, subject to removing any other office objections, within a period of 4 weeks from today failing which the

above Appeal shall stand dismissed without further reference to the Court.

5. We make it clear that by condoning delay we have not opined on the maintainability of the Appeal and which is expressly kept open to be agitated as and when the Appeal is heard.

6. The Interim Application is accordingly disposed of. However, there shall be no order as to costs.

7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN,J.]

[B.P.COLABAWALLA, J.]