

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

INTERIM APPLICATION NO.18102 OF 2023

IN

COMMERCIAL FIRST APPEAL NO.32373 OF 2023

IN

COMMERCIAL SUIT NO.1273 OF 2021

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Bank of Baroda (erstwhile Dena Bank)

**.. Appellant/
Org.Defendant**

Versus

Mahendra Babulal Parikh & Ors.

**.. Respondents/
Org.Applicants**

**Ms.Akshaya Puthran a/w Mansi Pawar i/b S.K.Singhi &
Partners LLP, Advocates for the Appellant.**

**Mr.Jayant Gaikwad a/w Pushpa Prajapati, Advocates for
Respondent.**

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

DATE : JANUARY 30, 2024

P. C.

1. The above Interim Application is filed seeking a
Condonation of Delay of 248 days in filing the above Commercial
Appeal.

2. The learned counsel appearing on behalf of the Respondent vehemently opposed the grant of any condonation on the ground that absolutely no cause is made out in the above Interim Application for condoning the delay.

3. We have heard the learned counsel appearing on behalf of the parties. We have also perused the Interim Application. For the reasons stated in the Interim Application we are satisfied that the cause for the delay has been made out. Accordingly the delay is condoned.

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

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

6. 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.]