

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

**INTERIM APPLICATION NO.581 OF 2024
IN
APPEAL (L) NO.28311 OF 2023
IN
INTERIM APPLICATION NO.3890 OF 2022
IN
SUIT NO.2666 OF 1992**

Vimaldev Hirjibhai Thakkar & ors. : Applicants.

In the matter between

Vimaldev Hirjibhai Thakkar : Appellants/
and others Org. Plaintiffs

Vs.

Dr. Chandrashekhar Hirjibhai : Respondents.
Thakker and others. : Org. Defendants.

WITH

**INTERIM APPLICATION NO.585 OF 2024
IN
APPEAL (L) NO.28214 OF 2023
IN
INTERIM APPLICATION (L) NO.30710 OF 2021
IN
SUIT NO.2666 OF 1992**

Vimaldev Hirjibhai Thakkar & ors. : Applicants.

In the matter between

Vimaldev Hirjibhai Thakkar : Appellants/
and others Org. Plaintiffs

Vs.

Dr. Chandrashekhar Hirjibhai
Thakker and others.

: Respondents.
: Org. Defendants.

Mr. Yatin Shah a/w Mr. Vipul Makwana for the
Applicants/Appellants in both matters.

Ms. Khushboo Rupani i/by HSA for Respondent No.1 in both
matters.

Mr. Nakul Jain a/w Mr. Harsh Behany, Ms. Saloni Manjrekar and
Ms. Prachi Sanghvi i/by HN Legal for Respondent Nos. 2 and 3 in
both matters.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE : 20th FEBRUARY, 2024

P.C. :

1. Both these Interim Applications seek condonation of
delay of a period of 13 days in filing the captioned Appeals.

2. Ms. Rupani, learned counsel appearing on behalf of
Respondent No.1 and Mr. Jain, learned counsel appearing on
behalf of Respondent Nos. 2 and 3, have opposed the Interim
Applications for condonation of delay on the ground that no
sufficient reason/cause has been set out in the said Applications.

3. We have perused the Applications and find that the delay is of only 13 days and not inordinate in nature. The Applicants have set out that the delay arose on account of the fact that Applicant No.1 was unwell. Given the totality of circumstances, we find that the interest of justice would warrant that the delay be condoned and Appeals be heard on merits.

4. Both the Interim Applications are allowed. Delay in filing the captioned Appeals stand condoned.

5. Interim Applications are disposed of in the aforesaid terms.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)