

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1606 OF 2025
IN
APPEAL FROM ORDER (ST) NO. 3252 OF 2025

Pravin Manilal Sanghvi .. Applicant

In The Matter Between

Pravin Manilal Sanghvi .. Appellant

Versus

M/s. Motherson Auto Ltd & Ors. .. Respondents

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- Mr. S.C. Wakankar a/w Ms. Aishwarya Bapat, Advocates for Applicant
- Mr. Chaitanya B. Nikte a/w Mr. Shubhamkar Kulkarni & Mr. Vishal Tiwari i/by Mr. Prajit S. Sahane, Advocates for Respondents

.....

CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 18, 2025

P. C.:

1. Heard Mr. Wakankar, learned Advocate for Applicant and Mr. Nikte, learned Advocate for Respondents.
2. Present Interim Application seeks condonation of delay of 127 days in filing the Appeal from Order (AO).
3. Mr. Wakankar would submit that certain exigencies had arisen leading to delay which is stated in the Application.
4. Mr. Nikte has vehemently opposed the Application for condonation of delay arguing that Court cannot come to the aid of a litigant who does not follow the principles of limitation. He would

submit that the reasons stated in the Application are not believable and are merely stated for the sake of seeking condonation of delay. Hence he would persuade the Court to dismiss the Application.

5. Having heard both the learned Advocates at the bar and having perused the record, I am of the opinion that in view of the guidelines stated in paragraph No. 20 by the Supreme Court in the decision in the case of *Esha Bhattacharjee v. Managing Committee of Raghunathpur Nafar & Ors.*¹ and the additional guidelines in paragraph No. 21 after referring to several previous decisions passed by the Supreme Court on the issue of condonation of delay, I am inclined to consider the request made in the Application and condone the delay of 127 days in the interest of justice. Hence, Interim Application is allowed in terms of prayer clause (a). Delay is condoned.

6. Interim Application is allowed and disposed.

7. Another Interim Application (St) No. 3254/2025 is filed for seeking interim relief which is refused by the Trial Court. Mr. Nikte at the outset would persuade the Court to allow the Respondents to file affidavit in reply since it affects the substantive right of Respondent - Company. Adhering to his request, time of one week is granted to the Respondents to file affidavit in reply.

1 (2013) 12 SCC 649

8. Place the AO along with Interim Application (St) No. 3254 of 2025 on board on **9th October, 2025.**

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[MILIND N. JADHAV, J.]

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