

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 6955 OF 2025
IN
COMMERCIAL FIRST APPEAL STAMP NO. 6197 OF 2025

Chandresh G. Sanghvi & Anr. ... Applicants

In the matter between

Chandresh G. Sanghvi & Anr. ... Appellants

V/s.

S.K. Singh & Partners LLP & Ors. ... Respondents

Mr. Akash Rebello a/w Mr. Nadeem Shama for Appellants in Com.FA.(ST)
No. 6197/2025.

Mrs. Akshaya Puthran a/w. Mr. Ankur Singhi & Mr. Rhythm Rathod i/b. S.K.
Singhi and Partners LLP for Respondent Nos. 1 & 2.

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CORAM : R.I. CHAGLA AND
FARHAN P. DUBASH, JJ.

DATE : 7TH OCTOBER 2025

P. C. :

1. By this Commercial First Appeal, the Appellants seek to set aside the impugned Judgment dated 25th June 2024 passed by the City Civil Court, Mazgaon, Mumbai in Commercial Suit No. 872 of 2024. There is a delay of 167 days in filing the Commercial First Appeal and accordingly,

Interim Application No. 6955 of 2025 has been taken out by the Appellants seeking condonation of delay in its filing.

2. The reason for the delay has been set out in the Interim Application which interalia reveal that Appellant No. 1 had learnt of the filing of the above suit and Notice of Motion taken out therein, in the first week of December 2024. It is further stated that the writ of summons has not been served by the Plaintiffs in the above suit on the Defendants and the Suit has been disposed of by the Impugned Judgment.

3. The learned Counsel for Respondent Nos. 1 and 2 has opposed the condonation of delay on the ground that Respondent Nos. 1 and 2 had sent an e-mail to Appellant No. 1 on 3rd April 2024. She has submitted that this position has also been admitted in the Interim Application.

4. Considering that the Impugned Judgment has been passed ex-parte by the City Civil Court, Mumbai and without service of writ of summons on the Defendants, the delay in preferring the above Commercial First Appeal requires to be condoned. There is sufficient cause shown in the Interim Application for condonation of delay on that ground.

5. The Interim Application No. 6955 of 2025 is accordingly allowed. The delay in filing of the Commercial First Appeal is condoned.
6. Interim Application is accordingly disposed of.

(FARHAN P. DUBASH, J.)

(R.I. CHAGLA J.)