

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 38294 OF 2025
IN
COMMERCIAL FIRST APPEAL STAMP NO. 37129 OF 2025**

Shri. Mukesh Jethalal Somaiya & Anr.

... Applicants/
Appellants

V/s.

Shri. Atul Hariram Ramani & Ors.

... Respondent

Ms. Rajesh L. Kamble h/f. Mr. Sanjay P. Shinde for Appellant.

Mr. Mutahhar Khan a/w. Mr. Maulik Tanna for Respondent.

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

DATE : 15th DECEMBER 2025

P.C.:

1. By this Interim Application the Applicants/Appellants have sought for condonation of delay of 35 days in filing the present Commercial First Appeal.

2. The Applicants have furnished reasons for the delay in the Interim Application. This is on account of delay in receipt of certified copies

of the impugned order and the Advocate for Applicants taking time to prepare and file the Appeal as well as Applicant No. 1 being a senior citizen suffering from various medical issues.

3. There is no opposition to the condonation of delay sought for in the present Interim Application, considering that the Respondents themselves have filed Commercial First Appeal impugning the same order.

4. In view thereof, we allow the present Application on ground of sufficient cause shown for condonation of delay in filing the Commercial First Appeal.

5. Hence, the following order is passed.

:: ORDER ::

- (i) The delay of 35 days in filing the present Commercial First Appeal is condoned.
- (ii) The Registry shall take the Commercial First Appeal on record.
- (iii) The Interim Application is accordingly disposed of.
There shall be no order as to costs.

(iv) The Commercial First Appeal Stamp No. 37129 of
2025 shall be listed along with Commercial First
Appeal No. 31 of 2025 on 22nd December 2025.

(FARHAN P. DUBASH, J.)

(R.I. CHAGLA J.)

Ajay Jadhav
Ia/38294/2025

Digitally signed
by JYOTI
PRAKASH
PAWAR
Date:
2025.12.17
11:27:36
+0530