

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

**INTERIM APPLICATION (L) NO.6917 OF 2023
IN
COMMERCIAL SUIT NO.16 OF 2024**

Bairagra builders pvt. Ltd. V/s. Encore Asset Reconstruction Company Pvt. Ltd.	... Applicant-Plaintiff ...Defendant
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**WITH
INTERIM APPLICATION (L) NO.15539 OF 2024
IN
COMMERCIAL SUIT NO.16 OF 2024**

Encore Asset Reconstruction Company Pvt. Ltd.	... Applicant
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In the matter between

Bairagra builders pvt. Ltd. V/s. Encore Asset Reconstruction Company Pvt. Ltd.	... Applicant-Plaintiff ...Defendant
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Mr. Atul Gupta a/w. Mr. Deepesh Ramrakhiani i/b Archit Virmani for Applicant in IA(L) No.15539/ 2024 and for Respondent No.1 in COMS No.16/2024.

Mr. Zishan Tarafdar a/w. Riyaz Khan i/b Mr. Jamshed Ansari for the plaintiff.

Mr. Prajakt M. Arjunwadkar a/w. P. S. Hande for Respondent No.2.

CORAM : JITENDRA JAIN, J.

DATED : 30 September 2025

P. C. :

INTERIM APPLICATION NO.6917 OF 2023

1. IA (L) No.6917/2023 has already been disposed of *vide* order dated 12 April 2024. Registry is directed not to list the said Interim Application on board.

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2. This application is taken by defendant No.1 seeking condonation of delay of 25 days in filing written statement in the present commercial Suit. The reasons given for delay are mentioned in paragraph 5 of the IA. I have perused reasons and on perusal of the same, the delay is explained and therefore, delay in filing the written statement has been condoned and written statement is directed to be taken on record.

3. IA (L) No 15539/2024 is allowed.

4. Registry is directed to report to this Court why Interim Application (L) No.15539 of 2024 is being shown on lodging number although according to learned counsel for defendant No.1 no objections have been raised.

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5. CIRP proceedings against the plaintiff is the subject matter of appeal before the NCLT Therefore, list this matter on 2 December 2025 to enable the learned counsel for the plaintiff to apprise the Court about the status of NCLT proceedings.

(JITENDRA JAIN, J.)