

JYOTI
PRAKASH
PAWAR

Digitally signed by
JYOTI PRAKASH
PAWAR
Date: 2025.10.06
18:17:10 +0530

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

INTERIM APPLICATION NO. 4637 OF 2025

IN

SUIT NO. 151 OF 2024

Haresh Advani

...Applicant

IN THE MATTER BETWEEN

Suraj Jagtiani

...Plaintiff

V/s.

Haresh Advani

...Defendant

Mr. Karan Rukhana a/w Ms. Deeksha Jani i/b Jani and Parikh for
Defendant /Applicant

Ms. Arya Gadagkar i/b M/s. Rashmikanth and Partners for Plaintiff

CORAM : FARHAN P. DUBASH, J.

DATE : 3rd OCTOBER 2025

ORDER :

1. The present Interim Application has been preferred by the Applicant/Defendant seeking condonation of 62 days' delay in filing his Written Statement.

2. Mr. Rukhana, learned Counsel appearing on behalf of the Applicant submits that his client took time to finalize the Written Statement since the subject matter of the suit relates to events that have transpired more than 30 years ago. He also invites the attention of this Court to the various

documents annexed to the Interim Application in support of such contention. He submits that for this and other reasons, more particularly set out in the said Interim Application, the delay of 62 days in filing the Written Statement be condoned.

3. *Per contra* Ms. Gadagkar, learned Counsel appearing on behalf of the Plaintiff submits that the Applicant has not made out a sufficient case and the present Interim Application ought not to be entertained by this Court.

4. After hearing both parties and perusing the record, this Court is satisfied with the reasons and justification given by the Defendant/Applicant in the present Interim Application. Accordingly, the delay of 62 days in filing the Written Statement is hereby condoned, subject to the Defendant making payment of a sum of Rs. 25,000/- to the Plaintiff, within a period of two weeks from today viz. on or before 17th October 2025. If such payment is made within the timelines, the Registry shall permit the Defendant to file his Written Statement dated 30th September 2024 and the same shall be taken on record.

5. The present Interim Application is disposed of in the above terms.

(FARHAN P. DUBASH, J.)