

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

**INTERIM APPLICATION NO. 3954 OF 2025
IN
SUMMONS FOR JUDGMENT NO. 8 OF 2025**

RELIANCE INFRASTRUCTURE LIMITED)...APPLICANT

IN THE MATTER BETWEEN

IDBI TRUSTEESHIP SERVICES LIMITED)...PLAINTIFF

V/s.

RELIANCE INFRASTRUCTURE LIMITED)...DEFENDANT

Mr.Venkatesh Dhond, Senior Advocate a/w. Mr.Prateek Pansare, Mr.D.J.Kakalia, Ms.Bhavna S. Jaipuria, Mr.Paresh Patkar, Mr.Kartik Hede and Ms.Bhakti Chandan i/by Mulla & Mulla and Craigie Blunt & Caroe, Advocate for the Applicant/Defendant.

Mr.Naushad Engineer, Senior Advocate a/w. Mr.Aniruddh Gambhir, Ms.Aastha Kaushal and Mr.Karan Sangani, Mr.Sangram Mallik, Advocate for the Respondent/Original Plaintiff.

CORAM : ABHAY AHUJA, J.

DATE : 20th AUGUST 2025

PC. :

1. Not on board. Taken on board.
2. This Interim Application seeks condonation of delay of one day in filing the Affidavit in reply on behalf of the Defendant to the Summons for Judgment.

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3. Mr.Dhond, learned Senior Counsel, appears for the Defendant and submits that although the last date for filing the reply was 11th July 2025, however, since the reply was filed 29 minutes late, there has been a delay of one day and that in view of Order 37 Rule 3(7) of the Code of Civil Procedure, 1908 (“CPC”), this Court may condone the delay as the same is not intentional. Mr.Dhond draws this Court’s attention to the explanation at paragraphs 4 to 10 of the Interim Application in support.

4. Mr.Engineer, learned Senior Counsel appearing for the Plaintiff does not raise any particular objection.

5. Having heard the learned Senior Counsel and having considered the submissions, this Court is of the view that the Interim Application be allowed in terms of prayer clause (b) which reads thus :

“(b) the delay of one (1) day in filing the Affidavit in Reply on behalf of the Defendant to the Summons for Judgment be condoned and the Affidavit in Reply be taken on record.”

6. Let the reply be filed and served.

7. The Interim Application stands allowed and disposed as above.

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8. Let the rejoinder be filed within a period of two weeks with a copy to the other side.
9. List the Summons for Judgment for hearing on **1st October 2025**.

(ABHAY AHUJA, J.)