

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 4400 OF 2025
WITH
INTERIM APPLICATION NO. 2065 OF 2025
WITH
INTERIM APPLICATION NO. 4411 OF 2025
IN
SUIT NO. 295 OF 2024**

Vithal Venkatesh Kamat

...Applicant/
Plaintiff

Versus

Krishna Venkatesh Kamath & Ors

...Defendants

Mr. Anay Hom Kalas, a/w Harsh Pathak, i/b Mayank Mishra, for the Applicant.

Mr. K.L. Vyas, i/b Karan K. Vyas for original Plaintiff.

Ms. Sonali Kunekar, for Applicant in IA/2065/25 & for Defendant No.2 in S/295/24.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : NOVEMBER 20, 2025

ORDER :

1. Interim Application No.2065 of 2025 in Suit No.295 of 2024 is not on board but by consent of the parties is taken on board.
2. Interim Application No.4411 of 2025 and the aforesaid Interim Application No.2065 of 2025 both seek condonation of delay in

filing the reply. For the reasons set out in the Interim Application, the delay is condoned. Liberty is granted to file a written statement.

3. In the interest of justice, the time to file the reply is extended by a period of one week from the date of upload of this order on the website of this court. The element of costs for the prejudice caused to the Plaintiff shall be considered while dealing with the main Suit.

4. Both these Interim Applications are *disposed of*.

5. The Plaintiff is permitted to serve Defendant No. 4 by effecting private service with all permissible modes including by electronic means, and to file a service affidavit, with tangible evidence of service, on or before the next date. Once service is effected, liberty to mention.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]