

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

**INTERIM APPLICATION NO.6592 OF 2025
IN
COMMERCIAL IP SUIT NO.475 OF 2025**

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Sun Pharma Laboratories Limited

...Plaintiff

Versus

XIA Healthcare Private Limited and Anr.

...Defendants

*Ms. Archita Gharat a/w. Ms. Niyati Davawala, Mr. Anil Shete and Ms. Dixita Singh i/b. Davawala & Co., for the Plaintiff.
Ms. Samita Vaviya a/w. Ms. Manali Joshi i/b. Pritesh Burad Associates, for Defendant No. 1.*

CORAM : SHARMILA U. DESHMUKH, J.

DATE : NOVEMBER 25, 2025

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 42 days beyond the period of 30 days for filing the written statement.
2. Learned counsel appearing for Defendant No.1 submits that Defendant No. 1 was served with writ of summons on 26th July, 2025 and thereafter legal advise was obtained and the documents were collected which consumed time. She would submit that there is delay of 42 days beyond 30 days which is not deliberate.

3. Learned counsel for the Plaintiff opposes the application and submits that the delay has not been explained satisfactorily and may not be condoned.
4. I have gone through the pleadings in the application. The delay is of 42 days beyond 30 days which is sought to be condoned. The reasons set out in the application are sufficient for the purpose of condoning the delay as the same is within the period of 120 days. For the reasons set out in the application, the Interim Application stands allowed.
5. Delay stands condoned.
6. Written statement be taken on record.

[SHARMILA U. DESHMUKH, J.]