

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13868 OF 2025

Hi Rock Construction Company Through Its Partner Sangeeta H Doshi	..Petitioner
Versus	
Chandanmal Mehta	...Respondent

Mr. Aalam Parsurampuriah (through VC), i/b Prashant Parsurampuriah,
for the Petitioner.

CORAM: N. J. JAMADAR, J.
DATE : 30th MARCH 2026

P.C.:

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 26th March 2025 passed by the learned Judge, City Civil Court, whereby the Notice of Motion taken out by the Petitioner-Defendant No.1 to set down the suit for dismissal in view of the delay in filing the Summons for Judgment, under Rule 119 of the Bombay City Civil and Sessions Court Rules, 1948, came to be dismissed, by adverting to the conduct of the Defendants.
3. The record reveals that the Defendants did not enter the appearance within the stipulated period and filed a Notice of Motion to

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condone the delay in entering appearance. By an order dated 6th November 2023, the delay was condoned and, thereafter the Plaintiff filed the Summons for Judgment on 8th February 2024.

4. Evidently, the Defendants intended to take advantage of their own default. The Petition is wholly frivolous.

5. The Petition thus stands dismissed with costs of Rs.10,000/- to be deposited with the Mumbai District Legal Services Authority, within a period of two weeks, from the date of uploading of this order.

[N. J. JAMADAR, J.]