

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.4293 OF 2026
IN
APPEAL FROM ORDER NO.281 OF 2023

Shrikant Shriram Narsaria ...Applicant

IN THE MATTER BETWEEN :

Shrikant Shriram Narsaria ...Appellant

Versus

Sangeeta Rajendra Sharma & Ors. ...Respondents

*Mr. Mohit Khanna a/w Ms. Kinjal Shah and Mr. Keshav Thakkar i/b
Rashmikant & Partners for the Applicant/Appellant*

*Mr. Sangram Parab i/b Mr. Vipul Makhwana for the Respondent Nos.2, 3,
4, 5, and 8*

CORAM : SHARMILA U. DESHMUKH, J.

DATE : JUNE 16, 2026

P. C. :

1. Mentioned. Not on Board. Taken on Board.
2. The Interim Application has been filed for extension of time to deposit the transit rent as directed by the order dated 23rd October 2025. The notice of today's hearing has been given to the Respondents, and the affidavit of service is placed on record. The contesting Respondents are Respondent No. 1 and Respondent No. 6. None appears on behalf of the Respondent No. 1 and Respondent No. 6.

3. The application seeks condonation of delay in depositing the transit rent for the period from November 2025 to June 2026, and permission to the Applicant to deposit the Demand Drafts in the Trial Court.

4. Learned counsel appearing for the Applicant would point out the order of 23rd October 2023 and the direction contained therein for payment of transit rent. He submits that for the period from November 2025 to January 2026, due to a reshuffling of the Developer's organisation, and due to the marriage of the son of the Applicant, inadvertently, the transit rents for the months of November 2025 and December 2025 remained to be deposited. He submits that the Applicant attempted to tender the Demand Drafts on 16th January 2026 in the City Civil Court. However, due to the delay, the Demand Drafts were not accepted, and hence, the present Application has been filed.

5. It is nobody's case that there has been a persistent default in payment of the transit rent as directed by the order dated 23rd October 2023. It is only due to the reshuffling of the Developer's organization and the personal reason of a marriage in the family that there was a delay of only two months. Subsequently, the Applicant attempted to tender the Demand Drafts which were not accepted by the City Civil Court and thereafter as well, the Demand Drafts were not accepted.

There is a sufficient explanation tendered for the delay in depositing the transit rent.

6. In light of the explanation tendered, the delay is condoned. The Registrar, City Civil Court is directed to accept the transit rent for the period from November 2025 till July 2026, which will be deposited within a period of one week from today.

7. The Application stands allowed and disposed of accordingly.

[SHARMILA U. DESHMUKH, J.]