

rrpillai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 5788 OF 2025
IN
COMMERCIAL SUIT NO. 43 OF 2025

Life Insurance Corporation of India	...	Applicant
<u>In the matter between</u>		
Deepen Arun Parekh	...	Plaintiff
Vs.		
Indian Overseas Bank & Ors	...	Defendants

Mr. Vishal Pattabiraman a/w. Ms. Shweta Nisar i/b. Sonal Doshi & Co. for the Plaintiff.

Mr. Amrut Joshi a/w. Ms. Kajal Gupta and Ms. Shweta Singh i/b. M.V. Kini & Co. for Defendant nos. 1, 5 and 12.

Ms. Divya Bamne i/b. M/s. A. R. Bamne & Co. for Defendant No. 3.

Mr. Fraser M. Alexader for Ori. Defendant No. 10.

Ms. Asma Batatawala i/b. Ms. Rathina Maravrmann for Respondent Nos. 4 and 6.

Mr. Indrajeet Deshmukh i/b. Vidhii Partners for Defendant No. 17.

Mr. Harsh Sheth i/b. MDP Legal for Defendant No. 18.

Mr. Benny Joseph a/w. Ms. Sona Mariya a i/b. BJ Law Offices LLP for defendant no. 15.

CORAM : GAURI GODSE, J.

DATE : 30th MARCH 2026

ORDER :

1. This application is by defendant no. 18 for condonation of delay of 85 days in filing the written statement. Copy of the written statement verified on 12th September 2025 is annexed to the application.

2. Learned counsel for defendant no. 18 submits that an application for condonation of delay along with copy of the written statement is filed within 120 days provided under Order VIII Rule 1 of the Code of Civil Procedure, 1908 applicable to the Commercial Suit. He submits that the reasons for delay are explained in paragraph 3 of the application. He submits that the delay is unintentional and has occurred only due to administrative approvals required for filing the written statement.

3. Learned counsel for the plaintiff opposes the application on the ground that vague reasons are mentioned and despite service of writ of summons no efforts were made to file written statement within time.

4. I have perused the application. The particulars regarding steps taken for seeking approval and finalising the

written statement are mentioned in the application.

5. The reasons stated in the application are satisfactory and acceptable. For the reasons stated in the application, delay is condoned and the application is allowed in terms of prayer clause (b).

6. The original written statement shall be filed on record within two weeks.

7. The interim application is allowed in the aforesaid terms.

[GAURI GODSE, J.]