JYOTI PRAKASH PAWAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 5237 OF 2025
IN
SUIT NO. 137 OF 2024
WITH
INTERIM APPLICATION NO. 1843 OF 2025
WITH
INTERIM APPLICATION NO. 3909 OF 2025
WITH
INTERIM APPLICATION (L) No. 29466 OF 2025
WITH
INTERIM APPLICATION 5403 OF 2025
WITH
INTERIM APPLICATION NO. 5396 OF 2025
WITH
INTERIM APPLICATION NO. 5426 OF 2025
WITH
INTERIM APPLICATION NO. 5428 OF 2025
WITH
INTERIM APPLICATION (L) 30107 OF 2025
WITH
INTERIM APPLICATION NO. 5546 OF 2025
WITH
INTERIM APPLICATION NO. 5993 OF 2025

Sushma Jitendra Singh Thakur ... Applicant

Vs.

Dilipsingh Jitendra Singh Thakur ... Defendants

IN

SUIT NO. 137 OF 2024

Mr. Manoj Prajapati a/w. Mr. Ranjan Dwivedi i/b. Ranjan Dwivedi for Plaintiff.
Mr. Chirag Kamdar, i/b. Prabhanjan Gujar, for Defendant Nos. 2 to 10 and 16 to 19.
Mr. Shanay Shah, Mr. Abhishek Adke & Ms. Deepali Joshi for Defendant Nos. 11 to 15

CORAM : FARHAN P. DUBASH, J.

Date : 12th January 2026

P. C. :

1. The Interim Application No. 5993 of 2025 seeks condonation of delay of 142 days in filing of the Written Statement by Defendant No. 3.

2. Considering that the captioned Suit seeks partition of the properties of the deceased Mr. Brahmadutt Singh, and the Plaintiff and Defendants are admittedly his legal heirs and representatives, it is necessary for the said Defendants to put in their say to the reliefs claimed in the captioned Suit.

3. I have heard the parties and I am satisfied that the reasons set out in the Interim Application entitle the Applicant to condonation of delay in filing the written statement. Accordingly, the following order is passed:

::ORDER::

(i) Delay of 142 days in filing the Written Statement by Defendant No. 3 is hereby condoned and they are directed to file their Written Statement in the Registry on or before 15th January 2026. A copy of the same shall immediately be served on the Plaintiff on or before 16th January 2026 and an Affidavit-of-Service to that effect shall also be filed evincing the same.

(ii) An order dated 17th July 2025 passed by the Prothonotary and Senior Master of this Court transferring the Suit to the list of undefended Suit insofar as the Defendant No. 3 is concerned is set aside.

(iii) The present Interim Application is disposed of.

(FARHAN P. DUBASH, J.)

Mandar M.