

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

**INTERIM APPLICATION NO. 1001 OF 2026
IN
COMMERCIAL IP SUIT NO. 308 OF 2024**

Sitaram Viranchi Mahto ...Applicant

IN THE MATTER BETWEEN

Marico Limited ...Plaintiff

Versus

Manoj Gosai And Ors. ...Defendants

Mr. Vipul Dada Patil a/w Ms. Shubha Shirsat i/b Mr. Prashant Kashinath Aher, for the Applicant.

Mr. Anil Shete a/w Ms. Niyati Davawala, Ms. Nidhi Rao, Ms. Chandrika Devda i/b Davawala & Co., for the Plaintiff.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : May 06, 2026

P. C. :

1. Interim Application has been preferred by Defendant No. 33 seeking condonation of delay of 106 days in filing the written statement.

2. Learned counsel for the Applicant submits that the Applicant is retailer and operating from small shop from which certain bottles were recovered by the Plaintiff. She would submit that the Applicant is

unable to understand the nature of the proceedings which were in english language, and thereafter, it took time to engage a lawyer and by reason thereof, there is a delay.

3. Learned counsel for the Respondent opposes the application. It is not disputed that the written statement is filed within the outer limit of 120 days and considering that the Defendants are retailers operating from small shops, the explanation tendered is acceptable.

4. In light of the above, the delay of 106 days stands condoned. Interim Application is allowed.

[SHARMILA U. DESHMUKH, J.]