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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 2531 OF 2026
IN
COMMERCIAL SUIT NO. 138 OF 2025**

Mumbai Pune Expressway ... Applicant/Org.Def
Limited

In the matter between

IRB MP Expressway Pvt. Ltd. ... Plaintiff

vs.

Mumbai Pune Expressway ... Defendant
Limited

Ms. Vinodini Srinivasan a/w. Mr. Arun Siwach, Ms. Priyanka Mitra, Ms. Nupur Shah i/b. Cyril Amarchand Mangaldas for the Applicant/Original Defendant.

Mr. Durgaprasad Poojari i/b. PDS Legal for the Defendant/Original Plaintiff.

CORAM : GAURI GODSE, J.

DATE : 8th JUNE 2026

ORDER :

1. This application is by the defendant for condonation of delay in filing written statement and permission to file written statement. Learned counsel for the applicant submits that the writ of summons was served on 5th January 2026 and the

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initial period to file written statement expired on 4th February 2026. She submits that the outer limit to file written statement in the present commercial suit would be 5th May 2026 when the 120 days period expires. She submits that the application for permission to file written statement along with copy of the written statement is filed on 30th April 2026, i.e. within the outer limit. The reasons for the delay are explained in paragraph 4 of the application.

2. Learned counsel for the applicant therefore submits that considering the reasons mentioned in the application, delay be condoned and the applicant be allowed to file written statement.

3. Considering the reasons stated in the application, learned counsel for the plaintiff has not raised any serious objection for condonation of delay.

4. I have perused the application. The reasons stated in the application in paragraph 4 are acceptable and justifiable. The delay in filing the written statement is 84 days. For the reasons stated in the application, delay is condoned and the application is allowed in terms of prayer clause (a).

5. The original written statement be filed on record within two weeks from today.
6. Interim application is allowed in the aforesaid terms.

[GAURI GODSE, J.]