

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Writ Petition No. 1117 of 2023

M/s. Veedhi International ... Petitioners.
V/s.

M/s. National Education Society ... Respondents.

Mr. Prashant Chande i/b. Ms. Minal N. Joshi	Advocate for the Petitioners
Mr. Roshan Sawant i/b. Kaustubh Patil	Advocate for Respondents

CORAM : S.M. MODAK, J

DATE : 16 December 2024.

P.C. :

Heard learned Advocate for the petitioners-plaintiffs and learned Advocate for the respondents-defendants.

2. The order which is challenged by the petitioners is for condoning the delay in filing an affidavit-in-reply, summons for judgment. The order is dated 19 December 2022 (Page-113). This was passed on the Notice of Motion moved on behalf of the defendant (Page-67). The said order is challenged by the plaintiff.

3. One of the reason for condonation of delay is there was misbrief that the affidavit which was affirmed in the year 2018 was tendered but in fact it was not tendered (Page-81). The learned Judge found favour with the defendant.

Digitally
signed by
LATA
SUNIL
PANJWANI
Date:
2024.12.21
12:02:19
+0530

LATA
SUNIL
PANJWANI

4. It needs to be seen what were proceedings before the trial Court from 2018 upto passing of the impugned order. Let the respondents to file list of dates and supporting documents. Copy be supplied to the learned Advocate for the petitioners in advance.

5. Stand over to **20 January 2025**, First on Board.

(S.M. MODAK, J.)