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27-IAL24268-2024INS214-2023.D

2024:BHC-OS:17805-DB

Santosh

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

INTERIM APPLICATION (L) NO. 24268 OF 2024
IN
SUIT NO. 214 OF 2023

1. Ashok Kumar Garg
2. Sandeep Kumar Garg ...Applicants
In the matter between
Anurag Kumar Singhania and ors. ...Plaintiffs
Versus
Hemant Garg and ors. ...Defendants

Ms. Aradhana More, i/b Desai & Diwanji, for the Plaintiffs in
S/214/2023.

Adv. Rohma Hameed Huq, i/b Zerick Dastur, for the
Applicants – Defendant Nos.2 and 4.

CORAM: N. J. JAMADAR, J.
DATED: 23rd OCTOBER, 2024

PC:-

1. Heard the learned Counsel for the applicants –
defendant Nos.2 and 4.
2. This is an application to condone the delay of 107 and
104 days in filing the written statement with respect to
defendant No.2 and defendant No.4, respectively.
3. In the application, the defendants have ascribed
reasons which prevented the defendants from filing the
written statement within the period stipulated under



Order VIII Rule 1 of the Code of Civil Procedure, 1908. The reasons appear to be justifiable.

4. The learned Counsel for the plaintiff fairly submits that the plaintiffs have no objection to condone the delay in filing the written statement and permit defendant No.2 and 4 to file written statement.

5. In view of the above, the application stands allowed in terms of prayer clauses (a) and (b).

6. Written statement of defendant Nos.2 and 4 be taken on record.

7. Application disposed.

[N. J. JAMADAR, J.]