

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

SUIT NO. 2807 OF 1990

JUGAL KISHORE GUPTA)... PLAINTIFF

V/S.

KABIR WOOLLEN MILLS & ORS.)... DEFENDANTS

WITH
INTERIM APPLICATION NO. 7716 OF 2025
IN
SUIT NO. 2807 OF 1990

Ms.Nandini Singh Modi a/w. Ms.Sonali Aggarwal i/by M/s.Dhruve Liladhar & Co., Advocate for the Plaintiff.

Mrs.Jinal Mehta i/by Mehta & Co., Advocate for the Defendant no.7.

Mr.Mutahhar Khan a/w. Mr.Vishal Mehta and Mr.Mayank Chhangani i/by M/s.MV Law Partners, Advocate for the Defendant no.8/Applicant in IA/7716/2025.

CORAM : ABHAY AHUJA, J.

DATE : 24th MARCH 2026

PC. :

INTERIM APPLICATION NO. 7716 OF 2025

1. This Interim Application seeks condonation of delay in filing written statement on behalf of the Defendant no.8.

2. Mr.Mutahhar Khan, learned Counsel, appears for the Applicant and submits that pursuant to order dated 7th August 2015, the Applicant, who was earlier Plaintiff no.1(b), was directed to be transposed as Defendant no.8. That, by order of Division Bench dated 12th July 2022 the said order permitting transposition was upheld. That, thereafter, an Interim Application was filed, however, the same was permitted to be withdrawn on 3rd November 2025 with liberty to file the present Interim Application. Mr.Khan submits that, therefore, although there has been a delay in filing the written statement affirmed on 3rd December 2025, the same has been explained in view of the Court orders and therefore the said delay be condoned and this Court may direct the Registry to accept the written statement.

3. Ms.Nandini Singh, learned Counsel appearing for the Plaintiff has no objection if the Interim Application is allowed, however submitting, that the same is without prejudice to the allegations made against the Plaintiff in the Interim Application by the Defendant no.8.

4. However, since it has been observed that the Defendant no.8 was earlier Plaintiff no.1(b) and obviously supporting the Plaintiff today, this Court enquired from Mr.Khan whether the other Defendants in the

Suit have been served and Mr.Khan seeks some time to effect service of this application on all the Defendants and file an appropriate Affidavit of service.

5. Accordingly, list on **24th April 2026.**

(ABHAY AHUJA, J.)

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