

ITEM NO.4

COURT NO.1

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 354/2024

(Arising out of impugned final judgment and order dated 01-09-2023 in CAFO No. 14/2023 passed by the High Court Of Judicature At Bombay)

M/S ABHISHEK ENTERPRISE**Petitioner(s)****VERSUS****S.P. ENTERPRISES****Respondent(s)**

(FOR ADMISSION and I.R. and IA No.54441/2024-CONDONATION OF DELAY IN FILING and IA No.54442/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.54445/2024-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 07-03-2024 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Ashutosh Thakur, AOR (Not Present)

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 Delay condoned.
- 2 The Special Leave Petition was called out in the first session when the petitioner and its counsel were absent. Both continue to remain absent when the Petition is called in the second session.

- 3 We are in agreement with the order of the High Court dated 01 September 2023 rejecting the challenge to the order of the City Civil Court refusing to condone the delay of over three hundred days in filing the written statement. Sufficient cause was not shown for condoning the delay.
- 4 Hence, the Special Leave Petition is dismissed.
- 5 Pending applications, if any, stand disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR