

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1141 OF 2016
IN
WRIT PETITION NO. 3853 OF 2016

Smt.Chandrika Bahadur Jassawalla & others. ... Applicants.

V/s.

Shroff Sons Consultancy Pvt.Ltd. ... Respondent.

Sanjay H. Gangal for the applicants.

Ms.Rita Yadav i/b. N.N.Amin for the respondent.

CORAM : D.H.WAGHELA, C.J.

DATE : 18th July 2016.

PC. :

The petition appears to have been dismissed at the threshold on 7th March 2016 on account of non-removal of office objections and non-supply of copies of the petition to the respondent who appeared as party in person. It is submitted that the applicants had sought to serve copy on the respondents but the attempt failed on account of incorrect and old address available with the applicants. It is further submitted that now copies have been supplied to learned counsel for the respondent and the other office objections, if any, shall be removed within a period of one week. Learned counsel for

the respondent opposed the application on the basis that the respondent is put to undue hardship and expenses on account of negligence of the applicants.

2. Even as the original petition was yet to be heard for admission, the application is allowed with direction that the order dated 7th March 2016 shall stand recalled and the original petition shall stand restored to the file for admission hearing on 23rd August 2016 before the appropriate Court.

3. The applicants have supplied the copies of the petition to the learned counsel for the respondent and any other office objections shall be removed in the meantime. The applicants shall pay to learned counsel for the respondent Rs.500/- by way of costs.

CHIEF JUSTICE