

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

NOTICE OF MOTION NO.259/2016
IN
WRIT PETITION (L) NO.2733/2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Akshay Deshmukh i/b. Uday Warunjikar for the applicant

Mr. Y. S. Upadhyay, AGP for the Respondent No.1.

CORAM : K. K. TATED, J.

DATE : JANUARY 23, 2017

P.C.:

1. Mentioned. Not on board. At the request of learned counsel for the applicant, the matter is taken on board for urgent orders.

2. By this Notice of Motion, the applicant is seeking to set aside the order dated 01.12.2015 passed by the learned Prothonotary and Senior Master, by which the Writ Petition stood dismissed for non removal of office objections.

3. Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in paragraph 4 of the affidavit in support of the Notice of Motion, I am satisfied that the

Applicant has made out a case for allowing the present Notice of Motion.

4. Hence, following order is passed:

- a. Order passed by the Prothonotary and Senior Master on 1-12-2015 is set aside.
- b. Writ Petition Lodging No. 2733 of 2015 is restored on file for hearing on its merits.
- c. The applicant is permitted to remove all office objections within three weeks, failing which the Notice of Motion shall stand dismissed without further reference to the court.
- d. Notice of Motion stands disposed off accordingly.

JUDGE