

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

CHAMBER SUMMONS LD. NO. 485 OF 2018
IN
WRIT PETITION LD. NO. 2406 OF 2017

Ramai Mani Kuppuswami and Others. ..Applicants/Petitioners.

Versus

The Municipal Commissioner
and Another.

..Respondents.

Mr. Nilesh Wable for the Applicants / Petitioners.
Ms Vandana Mahadik for MCGM.

Coram : RANJIT MORE &
REVATI MOHITE DERE, JJ.

Date : **December 3, 2018.**

P. C. :

1. At the outset, learned counsel for the Applicant seeks leave to convert this chamber summons into notice of motion. Leave granted. Necessary amendment be carried out forthwith. Re-verification is dispensed with.
2. This notice of motion is taken out for setting aside the order dated 7th August 2018 passed by the Prothonotary and Senior Master of this Court dismissing the writ petition and further for restoration of writ petition to the file.
3. On 7th August 2018, above writ petition was placed before the Prothonotary and Sr. Master for since there were some office objections. On that day, the Petitioner was directed to remove

those objections on or before 28th August 2018. It was further provided in the self-operative order that failing to remove office objections within the stipulated time, the petition would stand rejected for non compliance of office objections under the provisions of Rule-986 of Original Side Rules. The Petitioner could not remove office objections before the stipulated time and therefore the petition stood rejected in terms of the self-operative order.

4. Today, the learned counsel for the Petitioner makes a statement that all the office objections raised by Registry would be removed by him on or before 10th of December 2018. Statement accepted as an undertaking to this Court.

5. In view of the undertaking and for the reasons stated in the affidavit in support of notice of motion, we allow this notice of motion in terms of prayer clauses (a) and (b). Writ petition stands restored to the file. Let the writ petition come up for admission on 10th December 2018.

6. Contempt petition No.8 of 2017 is to be heard along with this writ petition. Notice of motion stands disposed of.

[REVATI MOHITE DERE, J.]

[RANJIT MORE, J.]