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

NOTICE OF MOTION NO. 795 OF 2016
IN
EXECUTION APPLICATION (L) NO. 2279 OF 2015

The Chief Engineer (Navy) ... Claimant/Applicant
Versus
Jalaram Construction Co. ... Respondent

Mr. P.S. Gujar for the Applicant.

CORAM : R.I. CHAGLA, J.

DATED : 20th JUNE, 2019.

P.C. :

1 The learned Counsel for the Applicant seeks recall of order dated 20.01.2016 passed by the Prothonotary and Senior Master of this Court, and for restoration of Execution Application and for the Claimant to be permitted to remove the office objections. The Prothonotary and Senior Master, by order dated 20.01.2016 had directed the Applicant/Claimant and/or their Advocates to remove the office objections on the Execution Application on or before 10.02.2016, failing which the Execution Application would stand rejected. The learned Counsel for the Applicant states that the Advocate Clerk who was handling the matter could not be present on the day when the order was passed as he was not in Mumbai on the ground of personal reasons.

2 I am satisfied with the reasons mentioned in the affidavit in support of the Notice of Motion for non-removal of office objections and for which the Execution Application came to be rejected under Original Side Rules 986. Accordingly, I recall the order dated 20.01.2016 passed by the Prothonotary and Senior Master, High Court, and restore the Execution Application. I direct the Claimant to remove the office objections within a period of two weeks from the date of this order.

3 Notice of Motion is disposed of in terms of prayer clause (a).

(R.I. CHAGLA, J.)