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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**CHAMBER ORDER NO.579 OF 2019
IN
COMMERCIAL SUIT (L) NO. 1802 OF 2018**

Saint Gobain Indian Pvt. Ltd.

...Applicant /
Plaintiff

Vs.

Sankhala Brothers & Ors.

... Defendants

Mr. Rohaan Cama, Mr. Anish Karande, with Ms. Nirali Shah i/b
Dua Associates for the Plaintiff.

CORAM: R. I. CHAGLA, J.
DATE: 1ST OCTOBER, 2019

PC:-

1. By this Chamber Order, the Applicant seeks restoration of the Commercial Suit by setting aside order dated 11th April, 2019 and restoring Commercial Suit to the file. It is stated in the Affidavit in Support of the Chamber Order that an application had been made by way of praecipe on 11th April, 2019, the last date for removing the office objections. Inadvertently, the stamp number on the praecipe was recorded as Commercial Suit (St.) 1082 of 2018 instead Commercial Suit No.1802 of 2018. It was due to this inadvertence, despite two weeks being granted by the Prothonotary and Senior Master, the order was not given effect

and the Commercial Suit was disposed of on 12th April, 2019 by the self operative order dated 4th April, 2019.

2. Considering that, the Prothonotary and Senior Master had granted further extension for removal of office objections and which had been removed on 20th April, 2019 but as a result of inadvertence in mentioning the stamp number on the praecipe dated 11th April, 2019, the order of extension of two weeks was not given effect to and the Suit was dismissed on 12th April, 2019. This would be the sufficient reason for restoration of Commercial Suit by setting aside order dated 11th April, 2019 of the Prothonotary and Senior Master.

3. The Suit and the Notice of Motion is restored to file subject to the removal of office objections which still appear on the record within period of one week as directed. It is also made clear that if the office objections are not removed within a period of one week from today, the Chamber Order shall stand dismissed.

4. Accordingly, the Chamber Order is made absolute in terms of the above.

(R I. CHAGLA, J.)