

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

**NOTICE OF MOTION NO.187 OF 2016
IN
WRIT PETITION (L) NO.1847 OF 2015**

Haryana Nagarik Sangh @
Haryana Nagarik Chikitsalaya Trust Applicant/
Petitioner
versus

The Assistant Assessor & Collector & ors. Respondents
.....

- Mr.Ramesh C. Majgaonkar, Advocate for Applicant.
- Mr.Amit Shastri, AGP for Respondent Nos.3 and 4.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE : 25th FEBRUARY, 2020.**

P.C. :

1. Heard learned Counsel for the parties.
2. Advocate Mr.Ramesh C. Majgaonkar appearing on behalf of Applicant submits that other Respondents are duly served. He submitted that he has filed affidavit of service dated 10/02/2020. In spite of service, no one appeared on behalf of other Respondents.

3. By this Notice of Motion the Applicant is seeking to set aside the order dated 01/09/2015 passed by the learned Prothonotary and Senior Master, by which the Writ Petition (L) No.1847/15 was dismissed for non removal of office objections.
4. Learned Counsel for the Applicant submitted that it remained on the part of Applicant to remove office objections within time. He submitted that the Applicant undertakes to remove all office objections within three weeks from today. Statement is accepted.
5. Considering the submissions made by learned Counsel for the Applicant, averments made in the affidavit in support of Notice of Motion and as the Applicant is ready and willing to remove all office objections within three weeks, we are satisfied that the Applicant has made out case for allowing this Notice of Motion. Hence following order is passed:

- (a) Delay in filing the Notice of Motion is condoned.
- (b) Order dated 01/09/2015 passed by the learned Prothonotary and Senior Master is set aside.
- (c) The Applicant to remove all office objections in Writ Petition (L) No.1847/15 and get it numbered on or before 21/03/2020, failing which the Notice of Motion and Writ Petition shall stand dismissed without referring back to the Court.
- (d) Notice of Motion is made absolute accordingly.
- (e) No order as to cost.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)