

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

**INTERIM APPLICATION NO.3336 OF 2022
IN
COMMERCIAL SUIT (L) NO.7205 OF 2020**

Hansa Himmatlal Rathod & Ors. ...Applicants/Plaintiffs

Versus

Bharat Natvarlal Joshi & Ors. ...Defendants

Mr. Yogendra M. Kanchan a/w Ms. Ankita Sharma for
Applicants/Plaintiffs.

Mr. Aditya P. Shirke for Defendant No.2.

Mr. Vikhil Dhoka i/by M/s. GM Legal for Defendant No.3.

CORAM : R. I. CHAGLA, J.

DATED : 3rd AUGUST, 2022.

P.C.

1. Heard learned counsel for the Applicants/Plaintiffs.
2. By this Interim Application, the Applicants/Plaintiffs are seeking restoration of the captioned Commercial Suit (L) No.7205 of 2020, to the file of this Court and for extension of time for compliance with any office objections.
3. The Applicants/Plaintiffs has stated that office objections

which pertains to translation of vernacular documents into English language and typing of illegible pages were completed and the matter only required the approval of the concerned Associate. The final approval of the Associate could not be obtained in time and in view of the notice issued by this Court dated 6th May 2022, the captioned Commercial Suit (L) No.7205 of 2020 came to be rejected on account of non-removal of office objections which were to be removed by 10th June 2022.

4. The Applicants/Plaintiffs learnt that the Suit came to be rejected on 13th June 2022, on 27th June 2022 from the High Court website.

5. Accordingly, the Interim Application has been taken out.

6. Having considered the averments in the Interim Application as well as the submissions of the learned counsel for the Applicants/Plaintiffs, a case is made out for grant of relief sought for in the Interim Application. This, particularly considering that the office objections have been removed and that only a final approval of the Associate of this Court was required and which could not be obtained prior to 10th June 2022 and as a result, the captioned Commercial Suit (L) No.7205 of 2020 was shown as rejected on 13th

June 2022, for non-removal of office objections. Hence, the following order is passed:-

- (i). The captioned Commercial Suit (L) No.7205 of 2020 is restored to file along with Interim Application filed therein by recall of order dated 13th June 2022 by extending time by two weeks from the date of this order to comply with the office objections.
- (ii). In the event, the office objections are not complied with, the captioned Commercial Suit (L) No.7205 of 2020 shall stand rejected without further reference to this Court.
- (iii). The Interim Application is disposed of in the above terms.

(R. I. CHAGLA, J.)