

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

**INTERIM APPLICATION NO. 230 OF 2024
IN
SUIT (L) NO. 39 OF 2020**

Prabha Dayalal Patel ... Applicant

In the matter between :

Prabha Dayalal Patel & Ors. ... Plaintiffs

Versus

Mahesh Bhavan Patel & Ors. ... Defendants

Adv. Shabana Sothe for the Applicant.

CORAM: MANISH PITALE, J.

DATE : 21st MARCH 2024

P.C. :

. Heard learned counsel for the applicant.

2. This application is filed for restoration of the suit, which stood dismissed on account of non-removal of office objections, as per order dated 19th March 2020 passed by the Prothonotary and Senior Master of this Court.

3. It is submitted that the order was passed in March 2020 around the time when the covid-19 pandemic hit the nation.

4. It is further submitted that thereafter the applicant had also

filed a leave petition, for adding a property located in Gujarat, which has been number as (Lodging) No. 162 of 2022. It is submitted that therefore the parties were under the impression that the suit is very much alive.

5. It is submitted that the applicant undertakes to remove office objections, if any, at the earliest, if this Court is inclined to restore the suit.

6. This Court has perused the records. The applicant has indeed made out a case for granting prayer for restoration of suit, so that it may be decided on merits.

7. Accordingly, the application is allowed in terms of prayer clause (a). The suit is restored to file, subject to removal of office objections by the applicant, if any, within four weeks from today.

MANISH PITALE, J.