

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 2783 OF 2024

IN

SUIT (L) NO. 334 OF 2020

Anil Meghraj Gehi ...Applicant

IN THE MATTER BETWEEN

Anil Meghraj Gehi ...Plaintiff

Versus

The Collector of Stamps Mumbai City & Ors ...Defendants

**Ms Duraiya S Retiwala, with Tasneem S Tohfapharosh, Tasneem S
Vohra & Arwa A Lokat, for the Applicant.**

CORAM: ARIF S. DOCTOR, J

DATED: 1st October 2024

PC:-

1. This is an Application for setting aside an order dated 13th June 2023 passed by the Prothonotary & Senior Master of this Court rejecting the Suit under Rule 986 of the Bombay High Court Original Side Rules for non-removal of office objections.

2. Learned Counsel appearing on behalf of the Applicant has invited my attention to the averments made in the Interim Application and points out the objections were in fact removed. However, what

remained was to attach the receipts issued by official translator and it was thus the Suit came to be dismissed.

3. I have heard the Learned Counsel and perused the Interim Application and find that sufficient cause has been made out for restoration of the Suit. The Interim Application is allowed.

4. The Suit is restored on file.

5. Upon restoration of the Suit, Learned Counsel appearing on behalf of the Plaintiff, on instructions from the Plaintiff, who is present in Court today, seeks leave to withdraw the Suit. Leave granted.

6. The Suit is, therefore, dismissed as withdrawn.

7. Interim or ad-interim orders, if any, shall stand vacated forthwith.

8. Refund of the Court fees, if any, in accordance with the Rules. For the purposes of Section 43 of the Maharashtra Court Fees Act and the proviso to that Section, today's date is the date of making a claim for repayment. The Prothonotary & Senior Master will issue a certificate for a refund of Court Fees computed according to the Rules. He will act on production of an authenticated copy of this order without requiring a separate application.

(ARIF S. DOCTOR, J)