

Before : Sachin B. Bhansali
Prothonotary and Senior Master

Date : 26th June, 2024

FOR HEARING AND FINAL DISPOSAL :

14. CHOL/155/2024) Mr. Suresh Sabrad, Advocate for Petitioner /
IN) Applicant
WP(L)/474/2023)
)
) P.C. : The present Chamber Order is taken out by
) the Petitioner / Applicant for setting aside Order
) dated 14.03.2024, rejecting captioned Petition
) under O.S.Rule 986 for non-removal of office
) objections.
)
) Affidavit of Service dated 23.04.2024 proving
) service of present Chamber Order upon all
) Respondents is already on file. Despite service,
) none appeared for the Respondents.
)
) Heard Ld. Advocate for the Petitioner / Applicant.
) Perused Affidavit-in-Support of the present
) Chamber Order. It is contended therein that the
) present Writ Petition was listed before the Hon'ble
) Court on several occasions. When the matter was
) listed 19.06.2023 before the Hon'ble Court, Ld.
) Counsel for Petitioner sought time to file Rejoinder.
) It is further contended that the said Affidavit in
) Rejoinder was affirmed on 13.03.2024 and at the
) time of filing the same, the registered Clerk of the
) Ld. Advocate became aware about the conditional
) Order dated 14.03.2024. Hence, Ld. Advocate for
) Petitioner / Applicant prayed for setting aside
) conditional order dated 14.03.2024 as great
) prejudice will be caused to the Respondents, if the
) present Chamber Order is not allowed.
)
) Upon hearing submissions of Ld.
) Advocate for Petitioner / Applicant and considering

.... Continued
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) grounds raised in the Affidavit, I am inclined to
) consider the present Chamber Order favourably
) since it is desirable that substantial justice cannot be
) denied on technical grounds. Moreover, the
) Applicant deserves an opportunity to proceed in the
) matter as it was already being heard before the
) Hon'ble Court. Hence, the present Chamber Order is
) allowed, as prayed and signed separately.
)

) The Petitioner to remove office objections on the
) Petition and get the same numbered and/or
) registered within two weeks from the date of
) uploading of the order, failing the Petition to stand
) rejected for non-removal of office objections under
) O.S.Rule 986.

Date : 26.06.2024

Prothonotary & Senior Master