

Before : Sachin B. Bhansali,
Prothonotary & Senior Master
Date : 30th July, 2024

FOR DIRECTION :

14	CHOL/184/2024	)	Mr. Vijay Chauhan i/b. Prashant Malik,
	in	)	Advocate for the applicant.
	WPL/31921/2022	)	
		)	Ms. Sheetal Malvankar, A.G.P for respondent
		)	nos. 2, 3 and 8.
		)	
		)	P.C.: The present Chamber Order is taken out by
		)	the applicant for setting aside Order dated
		)	04.03.2024, rejecting captioned Petition under
		)	O.S.Rule 986 for non-compliance of office
		)	objections.
		)	
		)	Ld. Advocate for the applicant tenders
		)	Affidavit of Service, showing service of
		)	Chamber Order upon respondents, except
		)	respondent no. 4, who reported to be dead.
		)	Ld. Advocate undertakes to file said Affidavit
		)	of Service with the department within two
		)	days. Undertaking is accepted. Despite
		)	service, none appeared for the respondents,
		)	save and except, respondent nos. 2, 3 and 8.
		)	
		)	Heard Ld. Advocate for the applicant. Perused
		)	Affidavit of the applicant. It is contended that
		)	part of objections were complied with,
		)	however, pagination could not be done within
		)	time as the applicant was unable to find out
		)	the exact pagination of record and
		)	proceedings. It is further contended that grave
		)	prejudice will be caused to the applicant if
		)	captioned petition is not restored to file. Ld.
		)	Advocate for the applicant submits that one
		)	opportunity may be given to the applicant to
		)	pursue with the captioned Petition.
		)	
		)	Ld. A.G.P appearing for respondent nos. 2, 3
		)	and 8 objects the present Chamber Order and
		)	submits for passing suitable orders.

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contd....)
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On going through the contentions in the Affidavit, it appears that the applicant had made an attempt to remove office objections, however, for the reasons mentioned in the Affidavit, office objections could not be complied with in time. Therefore, in my view, the applicant should get one opportunity to pursue with the captioned Petition. Hence, the present Chamber Order is granted as prayed and signed separately.

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

Date : 30.07.2024

Prothonotary and Senior Master

RAJEEV
VIJAY
ACHARYA

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signed by
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