

Before : Sachin B. Bhansali
Prothonotary and Senior Master

Date : 11th July, 2024

FOR HEARING AND FINAL DISPOSAL :

23. CHOL/195/2024) Ms. Prachi Khandge a/w. Ms. Swati Chheda i/b.
IN) M/s. M.P. Vashi & Associates, Advocate for Petitioner
WP(L)/9735/2023) / Applicant
)
) Mr. Sanath Bhojane i/b. Iyer Shivkumar Ganesh,
) Advocate for Respondent Nos. 1 and 2
)
) P.C. : The present Chamber Order is taken out by
) the Petitioner / Applicant for setting aside Order
) dated 14.02.2024, rejecting captioned Petition
) under O.S.Rule 986 for non-removal of office
) objections.
)
) Perused Chamber Order and Affidavit in Support of
) the Chamber Order filed by Mr. Atul Barot, Director
) of Petitioner's Company. It is contended therein that
) office objections could not be removed on time due
) to medical condition of Mr. Charkari, Registered
) Clerk of Ld. Advocate. However, subsequently, said
) clerk tried to remove office objections, but office did
) not accept lapse of time which was granted to
) remove office objections vide order dated
) 14.02.2024.
)
) Perused Affidavit in Support of Chamber Order filed
) by Mr. Charkari, Registered Clerk of Petitioner'
) Advocate; wherein it is averred that office
) objections could not be removed on time, as at the
) relevant time, he was suffering from ligament tier.
)
) Ld. Advocate for Respondent Nos. 1 and 2 opposed
) the present Chamber Order on the grounds that
) sufficient time had already been granted to the
)

: 2 :

) Petitioner and further, no medical document,
) proving ailment of Mr. Charkari, Registered Clerk of
) Ld. Advocate for Petitioner, is attached to any of the
) Affidavits. Therefore, Ld. Advocate prayed for
) rejecting present Chamber Order.
)

) In reply, Ld. Advocate for Petitioner / Applicant
) submits that concerned Clerk has already filed his
) Affidavit, in which he himself stated about his
) ailment. Therefore, there is no need of documentary
) evidence for the restoration of captioned Petition
) which was technically rejected for non compliance
) of office objections.
)

) Considering grounds mentioned in the Affidavits of
) Petitioner and Registered Clerk of Petitioner's
) Advocate, I am of the view that, reasons mentioned
) in the Affidavits in Support appear to be bonafide,
) and substantial justice cannot be denied on
) technical grounds. 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 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.