

Before : Sachin B. Bhansali
Prothonotary and Senior Master

Date : 10th July, 2024

FOR HEARING AND FINAL DISPOSAL :

14. CHOL/265/2024) Mr. T.R. Yadav i/b. M/s. Desai & Desai Associates,
IN) Advocate for Petitioner / Applicant
WP(L)/13771/2023)
)
) P.C. : Present Chamber Order is taken out for
) restoration of the captioned Petition, which was
) rejected vide Order dated 14.02.2024 for
) non-compliance of office objections under O.S. Rule
) 986.
)
)
) Ld. Advocate for the Petitioner / Applicant tenders
) Affidavit of Service dated 09.07.2024, which is
) taken on record. 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 on
) 14.02.2024, when the matter was listed for
) rejection under O.S. Rules 986, the Advocate
) inadvertently failed to remain present before this
) Authority. So also, in the meantime, the dispute
) between the parties was settled and they were
) about to withdraw the present matter in the month
) of March, 2024; when they came to know about
) rejection of present Petition. Hence, Ld. Advocate
) has requested to restore the present Petition by
) setting aside conditional order dated 14.02.2024.
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)
) Upon hearing submissions of Ld.
) Advocate for Petitioner / Applicant and considering
) grounds raised in the Affidavit, I am inclined to
) consider the present Chamber Order favourably
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) since it is desirable that substantial justice cannot be
) denied on technical grounds. Moreover, none
) appeared for the Respondents to resist
) contention raised in the Affidavit. 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.

Date : 10.07.2024

Prothonotary & Senior Master