

Before : Sachin B. Bhansali
Prothonotary and Senior Master

Date : 23rd October, 2024

FOR HEARING AND FINAL DISPOSAL :

16. CHOL/312/2024) Mr. Adil Mirza i/b. Mr. Chinmaya Acharya, Advocate
IN) for Plaintiff / Applicant
S(L)/30579/2023)
) Mr. Rushikesh Tondwalkar i/b. Mr. Gaurav Sharma,
) Advocate for Defendant Nos. 1 to 5
)
) Mr. Aditya Lele, Advocate for Defendant No. 6
)
) P.C. : The present Chamber Order is taken out by the
) Petitioner / Applicant for setting aside Order dated
) 27.02.2024, rejecting captioned Suit under O.S.Rule
) 986 for non-removal of office objections.
)
) Perused Affidavit in support of Chamber Order. It is
) stated in the Affidavit in support of Chamber Order
) that office objections could not be removed within
) time as there were 200 pages to be translated from
) Marathi to English and 80 pages of non-legible
) documents were required to be typed. Hence, Ld.
) Advocate prayed for setting aside conditional order
) dated 27.02.2024 and restoration of captioned Suit.
)
) Affidavit of Service showing service of Chamber
) Order upon Respondents is already filed on record.
) Accordingly, today, Advocates for Defendants are
) present.
)
) Affidavits in Reply filed by Ld. Advocate for
) Defendant Nos. 1 to 5 and 6, are already on record
) which are self explanatory.
)
) In my view, said delay in removing office objections
) needs to be compensated in terms of cost, to which
) Ld. Advocate appearing for the Applicant submits that
) he is ready to compensate aforesaid delay by
) depositing cost of Rs. 5,000/- to the Shanti Avedna
) Sadan, HDFC Bank, Bandra West Branch, Bank A/c.
) No. 50100558420612, IFSC Code- HDFC0000442
) (Contact Nos. 022-26427464 / 022-26451702). Both
)

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: 2 :

-) the Ld. Advocates for Defendant Nos. 1 to 5 and 6
-) also consented for restoration of the captioned Suit .
-)
-) Hence, subject to payment of cost of Rs. 5000/- (Rs.
-) Five Thousand Only) to Shanti Avedna Sadan, within
-) two weeks from the date of uploading of the order,
-) the present Chamber Order is granted as prayed and
-) signed separately.
-)
-) Upon payment of cost, the Plaintiff to remove office
-) objections on the Petition and get the same numbered
-) and/or registered within four weeks from the date of
-) uploading of the order, failing the Suit to stand
-) rejected for non-removal of office objections under
-) O.S.Rule 986.
-)

Date : 23.10.2024

Prothonotary & Senior Master