

Before : Sachin B. Bhansali,
Prothonotary & Senior Master
Date : 27st September, 2024

FOR HEARING AND FINAL DISPOSAL :

15 CHOL/395/2024) Mr. Vinayak Kumbhar, Advocate for the
 in) applicant.
 WPL/33817/2023)
) None present for the respondents.
)
) P.C.: The present Chamber Order is taken out by
) the applicant for setting aside Order dated
) 20.02.2024, rejecting captioned Petition under
) O.S.Rule 986 for non-compliance of office
) objections.
)
) Ld. Advocate for the applicant submits that the
) respondents were served with the Chamber
) Order as per Affidavit of Service, which is on
) record. Despite service, none appeared for
) and on behalf of the respondents.
)
) Heard Ld. Advocate for the applicant. Perused
) Affidavit in Support, contents of which are
) self-explanatory. It is categorically averred
) that Advocate on record was not aware about
) Order dated 20.02.2024 passed in the
) captioned Petition due to which office
) objections could not be complied with. It is
) also averred that in the meantime, captioned
) Petition was listed before the Hon'ble Division
) Bench of this Court on 27.02.2024 for
) admission, however, due to paucity of time it
) could not be taken up for hearing. Ld.
) Advocate submits that due to his inadvertence,
) delay of 88 days was caused in filing present
) Chamber Order, which may be condoned and
) captioned Petition may be restored to file as
) grave prejudice will be caused to the petitioner
) if captioned Petition is not restored to file.
)
) None appeared for and on behalf of the
) respondents to resist contentions raised by the
) applicant in his Affidavit in Support.

contd....	)	Considering reasons in the Affidavit in Support
CHOL/395/2024	)	and submissions of the Id. Advocate, I am of
in	)	the view that delay of 88 days caused in filing
WPL/33817/2023	)	present Chamber Order needs to be condoned
	)	and one opportunity is required to be given to
	)	the applicant to pursue with the captioned
	)	Petition so that substantial justice can be taken
	)	care of.
	)	
	)	In view thereof, delay of 88 days caused in
	)	filing present Chamber Order is condoned and
	)	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 three weeks from the
	)	date of uploading of order, failing Petition to
	)	stand rejected for non-compliance of office
	)	objections under O.S.Rule 986.
	)	
	)	Chamber Order is disposed of accordingly.

Date : 27.09.2024

Prothonotary and Senior Master

RAJEEV
VIJAY
ACHARYA

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signed by
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ACHARYA
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