Before : Sachin B. Bhansali
Prothonotary and Senior Master

Date : 23rd October, 2024

FOR HEARING AND FINAL DISPOSAL :

19. CHOL/417/2024
IN
WP(L)/23604/2022

Mr. Durgesh Rege i/b. M/s. Unified Legal Partners, Advocate for Petitioner / Applicant

Ms. Shweta Singh a/w. Ms. Kajal i/b. M/s. M.V. Kini & Co., Advocate for Respondent No. 2

Mr. Sanjay Prabhala i/b. Mr. D.C. Pathak, Advocate for Respondent No. 3

Ms. Manvi Sharma i/b. Mr. Mayank Mishra, Advocate for Respondent Nos. 4 to 6

P.C. : The present Chamber Order is taken out by the Petitioner / Applicant for setting aside Order dated 20.02.2024, rejecting captioned Petition under O.S.Rule 986 for non-removal of office objections.

Affidavit of Service showing service of Chamber Order upon Respondents is already filed on record.

Heard Ld. Advocate for Petitioner / Applicant. Perused Affidavit in support of Chamber Order. It is stated in the said Affidavit in support of Chamber Order that office objection could not be removed within time as Exhibit 'A', being Consent Terms and Consent Decree passed by this Hon'ble Court in the year 1968, which is more that 50 years old, was illegible. The Petitioner is a senior citizen and trying to get it typed, however, in the meantime, the said Exhibit 'A' was misplaced by him. Now, he has found the same and handed over to the Advocate. It is further contended that for the same reason, there is delay of 183 days caused in filing present Chamber Order. Hence, Ld. Advocate has requested to restore the present Petition by setting aside conditional order dated 20.02.2024 by condoning the delay caused in filing Chamber Order.

Ld. Advocates appearing for Respondent Nos. 2, 3 and 4 to 6 jointly made a statement that they have

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no objection if the Chamber Order is allowed by condoning the delay caused in filing the same.

Reasons mentioned in the Affidavit appear to be genuine and substantial justice cannot be denied on technical grounds. Further, the applicant has explained delay of 183 days, as aforesaid, satisfactorily. Hence, delay of 183 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 numbered and/or registered within four 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 : 23.10.2024

Prothonotary & Senior Master