

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 16th June, 2025

FOR HEARING AND FINAL DISPOSAL :

32 CHOL/31/2024) Mr. Umesh Gupta i/b. Sangeeta Yadav,
in) Advocate for the applicant.
CUAPPL/22135/2022)
) None present for the respondents.
)
) P.C.: The present Chamber Order is e-filed by the
) applicant for setting aside Order dated
) 30.06.2023, rejecting captioned Appeal 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 was
) filed on record. However, despite service,
) none appeared for and on behalf of the
) respondents.
)
) Heard Ld. Advocate for the applicant. Perused
) Affidavit in Support and Additional Affidavit in
) Support to the Chamber Order. It is contended
) that time and again office had raised office
) objections, which were complied with in time.
) However, Appeal could not be registered as
) compliance was not as required by the
) Registry, and therefore, it got rejected. It is
) contended in Additional Affidavit that clerk of
) erstwhile Advocate left the job without
) intimating about dismissal of the Appeal due
) to which delay of 52 days caused in filing
) present Chamber Order, which was not
) intentional. Ld. Advocate for the applicant
) submits that now, he will pursue with the
) captioned Appeal diligently if it is restored to
) file and prayed for restoration of the Appeal by
) condoning delay.
)
) Since none appeared for the respondents,
) contentions raised in Affidavit / Additional
) Affidavit in Support remain uncontested.

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Therefore, I do not hesitate to rely on the same for the purpose of restoration of captioned Appeal with a view that the applicant would get one opportunity to pursue with the captioned Appeal. Furthermore, no prejudice would cause to the respondents since they can contest the Appeal on its merits. In view thereof, delay of 52 days caused in filing present Chamber Order is condoned and present Chamber Order is granted as prayed.

The appellant to remove office objections on the Appeal and get the same registered and/or numbered within four weeks from the date of uploading of order, failing Appeal to stand rejected for non-compliance of office objections under O.S.Rule 986.

Date : 16.06.2025

Prothonotary and Senior Master

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