

Before : Anil H. Laddhad
Prothonotary and Senior Master

Date : 17th April, 2025

FOR HEARING AND FINAL DISPOSAL :

30. CHOL/41/2025
in
WP(L)/16076/2023

) Ms. Priyanka Tiwari i/b. Ashley Cusher, Advocate
) for Applicant
)
) Ms. Manisha Gawade, AGP for Respondent (State of
) Maharashtra)
)
) P.C. : The present Chamber Order is taken out for
) restoration of the captioned Petition, which was
) rejected vide Order dated 07.08.2024 for non-
) compliance of office objection under O.S. Rule 986.
)
) Affidavit of Service showing service of Chamber
) Order is already filed on record. Despite service,
) none appeared for and on behalf of Respondents
) except AGP for State of Maharashtra.
)
) Heard Ld. Advocate for the Applicant. Perused
) Affidavit in Support to the Chamber Order. It is
) contended therein that due to non co-operation of
) erstwhile Advocate, Applicant approached High
) Court Legal Service Committee, Mumbai for legal
) aid service whereby, Adv. Cusher Ashley David was
) appointed as an Advocate. However, by the time,
) Petition got rejected. As the matter was dismissed,
) the Establishment Officer of the High Court Legal
) Service Committee issued a fresh Appointment
) Letter and appointed Adv. Cusher Ashley David to
) appear in the matter. It is further averred that due
) to the aforesaid reasons, delay of 81 days has
) caused in filing present Chamber Order. Hence, the
) Applicant requests for allowing the present
) Chamber Order by condoning delay of 81 days.
)
) Ld. AGP for State (Respondent) submits that
) appropriate order may be passed.
)
) Reason mentioned in the Affidavit-in-Support
) appears to be bonafide, and substantial justice

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) cannot be denied on technical ground. Further, the
) Applicant has explained delay of 81 days, as
) aforesaid, satisfactorily. Hence, delay of 81 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 four weeks from the date of
) uploading of order, failing the petition to stand
) rejected for non-compliance of office objections
) under O.S.Rule 986.

Date : 17.04.2025

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