

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 10th March, 2025

FOR HEARING AND FINAL DISPOSAL :

36 CHOL/55/2025) Ms. Chitra Kawalekar i/b. Sachin Maurkar,
 in) Advocate for the applicant.
 WPL/1320/2023)
) Ms. Manisha Gawde, A.G.P for respondent no.
) 1.
)
) None present for respondent no. 2.
)
) P.C.: The present Chamber Order is e-filed by the
) applicant for setting aside Order dated
) 14.02.2024, rejecting captioned Petition under
) O.S.Rule 986 for non-compliance of office
) objections.
)
) Ld. Advocate for the applicant submits that
) respondent no. 2 was served with the
) Chamber Order as per Affidavit of Service
) dated 25.09.2024, filed on record. Despite
) service, none appeared for and on behalf of
) respondent no. 2.
)
) Heard ld. Advocate for the applicant. Perused
) Affidavit in Support, contents of which are
) self-explanatory. It is averred that
) inadvertently, Advocate on record did not
) notice Conditional Order passed in the matter,
) due to which office objections could not be
) removed within given time. It is further
) averred that for the same reason, delay of 75
) days caused in filing present Chamber Order,
) which was unintentional and therefore, prayed
) that captioned Petition may be restored to file
) by condoning delay.
)
) Ld. A.G.P appearing for respondent no. 1
) waives service of notice of Chamber Order for
) and on behalf of respondent no. 1 and submits
) for passing suitable orders. Respondent no. 2
) choose to remain absent despite service.

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contd....	)	Considering reasons putforth in the Affidavit,
CHOL/55/2025	)	I am of the view that the applicant should not
in	)	be suffered for inadvertence mistake on the
WPL/1320/2023	)	part of Advocate and therefore, he should get
	)	an opportunity to pursue with the captioned
	)	petition diligently. Moreover, no prejudice
	)	would cause to the respondents since they can
	)	contest the captioned Petition on merits once it
	)	is restored to its original file. In view thereof,
	)	delay of 75 days caused in filing present
	)	Chamber Order is condoned and the present
	)	Chamber Order is granted as prayed.
	)	
	)	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 Petition to
	)	stand rejected for non-compliance of office
	)	objections under O.S.Rule 986.

Date : 10.03.2025

Prothonotary and Senior Master

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