

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

FOR HEARING AND FINAL DISPOSAL :

20 CHOL/68/2025) Mr. E. P. Singh Khamare, Advocate for the
in) applicant.
TPL/3285/2021)
) P.C.: The present Chamber Order is e-filed by the
) applicant for setting aside Order dated
) 15.06.2023, rejecting captioned Petition under
) O.S.Rule 986 for non-compliance of office
) objections.
)
) Heard Id. Advocate for the applicant. Perused
) Affidavit in Support of the Chamber Order,
) contents of which are self-explanatory. It is
) averred that due to ill-health of Advocate's
) clerk, he failed to comply office objections on
) the Petition, so also, to intimate Advocate on
) record to that effect. It is further averred that
) for the same reason, delay of 406 days was
) caused in filing present Chamber Order. Id.
) Advocate submits that as on date, captioned
) Petition is uncontested and prays for
) restoration of captioned petition.
)
) Considering averments raised in the Affidavit,
) and the captioned Petition, being a
) Testamentary Petition, I am of the view that
) the applicant should not suffer for
) inadvertence mistake of Advocate's clerk and
) he should get an opportunity to pursue with
) the captioned Petition. Hence, in the interest
) of justice, delay of 406 days, as noted above, is
) condoned with no order as to costs 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 five weeks from the
) date of uploading of Order, failing Petition to
) stand rejected for non-compliance of O.S.Rule
) 986.

Date : 10.02.2025

Prothonotary and Senior Master