

Before : Sachin B. Bhansali
Prothonotary and Senior Master

Date : 16th January, 2025

FOR HEARING AND FINAL DISPOSAL :

12. CHOL/217/2024) Mr. S.H. Singh i/b. Mr. R.T. Kharwar, Advocate for
IN) Appellant
APP(L)/24384/2023)
) P.C.: The present Chamber Order is taken out by
) the Appellant for setting aside Order dated
) 07.02.2024, rejecting captioned Appeal
) under O.S.Rule 986 for non-compliance of
) office objections.
)
) Affidavit of Service showing service of present
) Chamber Order is already filed on record. Despite
) service, today none appeared on behalf of
) Respondents.
)
) Perused Chamber Order and Affidavit and Addl.
) Affidavit in Support of Chamber Order. Heard Ld.
) Advocate appearing for the Appellant, who submits
) that the Appellant had gone to his native place for his
) personal work, he could not contact the Advocate on
) record and therefore Appeal got rejected for want of
) compliance. Ld. Advocate further submits that when
) the Appellant contacted Advocate on record, till that
) time, time to file Chamber Order got expired and
) when the Chamber Order was filed, 37 days delay
) was caused. Therefore, Ld. Advocate seeks
) condonation of delay caused in filing Chamber Order
) and also submits that chamber order may be allowed
) and the captioned Appeal may be restored to its
) original file.
)
) I have considered grounds and reasons as canvassed
) and mentioned in the Addl. Affidavit as above.
) Though the reason put forth for condonation of delay

..... Continued

Prothonotary and Senior Master

Date : 16th January, 2025

: 2 :

) and restoration of the captioned Appeal are tricky,
) still in the interest of justice and to get Appellant an
) opportunity to contest the matter on merits, I deem it
) fit to offer an opportunity to the Appellant to remove
) office objections on the Appeal and get it numbered /
) registered by giving reasonable time. Hence, I pass
) the following order :

)

) **Order**

) Delay of 37 days caused in filing present Chamber
) Order is condoned.

)

) Conditional Order dated 07.02.2024 passed in Appeal
) (L) No. 24384 of 2023 is set aside and Appeal is
) restored to its original file.

)

) Appellants to remove office objections on the Appeal
) and get the same numbered and/or registered 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.

)

) In view of above, Chamber Order stands allowed.

Date : 16.01.2025

Prothonotary & Senior Master

**M.N.
Kadam**

Digitally signed
by M.N. Kadam
Date: 2025.01.16
18:19:33 +0530