

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 07th April, 2025

FOR DISMISSAL :

24	CHOL/218/2024	)	Ms. Karen D'souza i/b. Jangra and Associates,
	in	)	Advocate for the applicant.
	ARBAPL/26936/2022	)	
		)	None present for the respondent.
		)	
		)	P.C.: The present Chamber Order is e-filed by the
		)	applicant for setting aside Order dated
		)	31.10.2023, rejecting captioned Arbitration
		)	Application under O.S.Rule 986 for non-
		)	compliance of office objections.
		)	
		)	Ld. Advocate for the applicant tenders
		)	Affidavit of Service dated 05.08.2024,
		)	Affidavit of Service dated 06.04.2025 and
		)	Additional Affidavit in Support dated
		)	02.04.2025, explaining delay caused in filing
		)	present Chamber Order, which are taken on
		)	record. Despite service, none appeared for the
		)	respondent.
		)	
		)	Heard ld. Advocate for the applicant. Perused
		)	Affidavit / Additional Affidavit in Support,
		)	contents of which are self-explanatory. It is
		)	contended that Advocate, who was handling
		)	the matter, left the firm of Advocate on record
		)	without intimating proper updates of the
		)	matter due to which office objections could
		)	not be removed within time. It is further
		)	contended that new Advocate was appointed
		)	in the matter, but in the meantime, delay of
		)	116 days caused in filing present Chamber
		)	Order. Ld. Advocate submits that the
		)	applicant has a good case on merits and prays
		)	for restoration of captioned Application.
		)	
		)	Reasons mentioned on oath, remain
		)	uncontested for want of resistance on the part
		)	of respondent. Therefore, I do not hesitate to
		)	rely on aforesaid reasons for the restoration of
		)	captioned Application. However, I am of the
		)	view that delay of 116 days caused in filing

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contd....)
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present Chamber Order, is required to be compensated by saddling reasonable cost.

In view thereof, delay of 116 days caused in filing present Chamber Order is condoned subject to payment of cost of Rs. 2,500/-, to be paid to the High Court Law Library within two weeks from today. Accordingly, the present Chamber Order is granted as prayed.

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

Date : 07.04.2025

Prothonotary and Senior Master

RAJEEV
VIJAY
ACHARYA

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signed by
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