

Before : Sachin B. Bhansali
Prothonotary and Senior Master

Date : 16th January, 2025

FOR HEARING AND FINAL DISPOSAL :

13. CHOL/291/2024) Mr. Prasad Rokade a/w. Mr. Yogesh Dharra i/b. Mr.
IN) Ashok Saraogi, Advocate for Applicant
ARBP(L)/21965/2023)
) Ms. Manisha Gawade, AGP for State of Maharashtra
)
) P.C.: The present Chamber Order is taken out by
) the Petitioner for setting aside Order dated
) 02.04.2024, rejecting captioned Petition 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.
)
) Perused Chamber Order and Affidavit and Addl.
) Affidavit in Support of Chamber Order. Heard Ld.
) Advocate appearing for the Petitioner, who submits
) that Petitioner was solely dependent on the advise of
) the Advocate who had already instructed his Clerk to
) remove office objections on the Petition and get the
) same registered. However, due to inadvertence on
) the part of the Advocate Clerk and non-
) communication between the Petitioner and
) Advocate, Petition got rejected for want of
) compliance. Therefore, Ld. Advocate submits that
) Chamber Order taken out for restoration of
) captioned Petition may be allowed by condoning
) delay of 74 days and the Petition may be allowed to
) be restored to its original file.
)
) I have considered submissions as canvassed by Ld.
) Advocate and contentions made in Affidavits as
) above. Due to inadvertence on the part of Advocate
) Clerk, as stated in the Affidavit by the

..... Continued

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) Petitioner, captioned Petition got rejected and 74
) days delay was caused in filing present Chamber
) Order. Reasons put forth for condonation of delay
) and restoration of the captioned Petition appear to
) be bonafide. Hence, I deem it fit to condone delay
) and allow present Chamber Order. Hence, I pass the
) following order :

) **ORDER**
)

) Delay of 74 days caused in filing present Chamber
) Order is condoned subject to payment of cost of Rs.
) 1,000/- to the Maharashtra State Legal
) Services Authority within two weeks from the
) date of uploading of order.

) Petitioner to remove office objections on the Petition
) and get the same numbered and/or registered within
) four weeks from the date of payment of cost, failing
) Petition 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
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