

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

FOR HEARING AND FINAL DISPOSAL :

27	CHOL/325/2024	)	Mr. Yash Vyas, Advocate for the applicant.
	in	)	
	WPL/29825/2021	)	Mr. Milind More, A.G.P for respondent – State.
		)	
		)	P.C.: The present Chamber Order is filed by the
		)	applicant for setting aside Order dated
		)	06.02.2024, rejecting captioned Petition under
		)	O.S.Rule 986 for non-compliance of office
		)	objections.
		)	
		)	Ld. Advocate for the applicant submits that
		)	respondents were served with the Chamber
		)	Order as per Affidavit of Service, filed on
		)	31.07.2024.
		)	
		)	Heard ld. Advocate for the applicant. Perused
		)	Affidavit / Additional Affidavit in Support,
		)	contents of which are self-explanatory. It is
		)	contended that time and again matter was
		)	listed before the Hon'ble Court and ld.
		)	Advocate was under bonafide impression that
		)	office objections were complied with. It is
		)	further contended that the defects regarding
		)	illegibility of annexures were not displayed
		)	online, however, the applicant was in process
		)	of removing office objections, but on account
		)	of miscommunication/misunderstanding with
		)	Ld. Advocate, office objections could not be
		)	complied with within time. It is further
		)	contended that since applicant is resident of
		)	Delhi, unavoidable delay of 105 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
		)	Petition.
		)	
		)	Ld. A.G.P for the State submits for passing
		)	suitable orders.

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contd....	)	Considering reasons put-forth in Affidavits,
CHOL/325/2024	)	appear to be bonafide and substantial justice
in	)	cannot be denied on technical grounds.
WPL/29825/2021	)	Moreover, no prejudice would cause to the
	)	respondents since they can contest the Petition
	)	on merits once it is restored to file. However, I
	)	am of the view that delay of 105 days caused
	)	in filing present Chamber Order, is required to
	)	be compensated by saddling reasonable cost.
	)	
	)	In view thereof, delay of 105 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 Legal Services
	)	Authority, Mumbai 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 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 : 07.04.2025

Prothonotary and Senior Master

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