

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 4th March, 2025

FOR HEARING AND FINAL DISPOSAL :

38	CHOL/350/2024	)	Mr. Aman Mishra i/b. UBR Legal, Advocate for
	in	)	the applicant.
	WPL/8097/2023	)	
		)	Ms. Manisha Gawde, A.G.P for respondent no.
		)	2.
		)	
		)	P.C.: The present Chamber Order is e-filed by the
		)	applicant for setting aside Order dated
		)	05.03.2024, rejecting captioned Petition under
		)	O.S.Rule 986 for non-compliance of office
		)	objections.
		)	
		)	Ld. A.G.P appearing for respondent no. 2
		)	waives service of Chamber Order for and on
		)	behalf of respondent no. 2.
		)	
		)	Ld. Advocate for the applicant submits that
		)	respondent nos. 1 and 3 to 5 were served with
		)	Chamber Order as per Affidavit of Service,
		)	filed on record. Despite service, none
		)	appeared for these respondents.
		)	
		)	Heard ld. Advocate for the applicant. Perused
		)	Affidavit in Support of the Chamber Order,
		)	contents of which are self-explanatory. It is
		)	averred that Advocate on record,
		)	inadvertently, missed the order and failed to
		)	take action accordingly. Ld. Advocate for the
		)	applicant submits that he will pursue with the
		)	captioned Petition diligently once it is restored
		)	to file and therefore, prayed for restoration of
		)	captioned Petition by condoning delay caused
		)	in filing present Chamber Order since it was
		)	unintentional.
		)	
		)	Ld. A.G.P for respondent no. 2 submits for
		)	passing suitable orders.

contd....	)	Considering reason mentioned on oath, and
CHOL/350/2024	)	submissions of Id. Advocate for the applicant, I
in	)	am of the view that one opportunity needs to
WPL/8097/2023	)	be given to the applicant, so that captioned
	)	Petition can be heard on merits, by which
	)	substantial justice can be taken care of.
	)	However, it appears that there is delay of 3
	)	months and 9 days caused in filing present
	)	Chamber Order, which can be condoned by
	)	saddling cost.
	)	
	)	In view thereof, in the interest of justice, delay
	)	of 3 months 9 days caused in filing present
	)	Chamber Order is condoned subject to
	)	payment of cost of Rs. 5,000/-, to be paid to
	)	the High Court Law Library within a week
	)	from the date of uploading of order.
	)	Accordingly, 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 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.

Date : 04.03.2025

Prothonotary and Senior Master

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