

Before : Sachin B. Bhansali,
Prothonotary & Senior Master
Date : 14th January, 2025

FOR HEARING AND FINAL DISPOSAL :

- 15 CHOL/414/2024) Mr. Aniket Patil i/b. Daware Vidnyan Shyam,
in) Advocate for the applicants.
TPL/8975/2022)
- 16 CHOL/413/2024) P.C.: The present Chamber Orders are taken out by
in) the applicants for setting aside Orders dated
TPL/29443/2022) 26.03.2024, 28.03.2024 and 15.06.2023,
) respectively, rejecting captioned Petitions
) under O.S.Rule 986 for non-compliance of
17 CHOL/416/2024) office objections.
in)
TPL/2591/2021) Perused Chamber Orders and Affidavits in
) Support of Chamber Orders. Heard Id.
) Advocate appearing for the applicants/
) petitioners, who submits that he has instructed
) and authorised Mr. Sagar Batavia, Advocate to
) remove office objections on the captioned
) Petitions and get these Petitions
) registered/numbered. Id. Advocate further
) submits that Advocate Batavia removed most
) of the office objections on the Petitions.
) However, he did not communicate remaining
) office objections, which were supposed to be
) removed within stipulated time as granted by
) this Authority by aforesaid Conditional Orders.
) Id. Advocate further submits that captioned
) Petitions, being Testamentary Petitions, and
) Petitioners, being slum dwellers, they should
) not be suffered due to inadvertence on the
) part of authorised Advocate and also submits
) that he is ready to compensate delay, caused in
) filing present Chamber Orders by way of cost,
) if any, as this Authority may deem fit.
)
) I have considered submissions canvassed by
) the Id. Advocate and also gone through
) reasons mentioned in Affidavits in Support to
) the Chamber Orders. The captioned Petitions,
) being Testamentary Petitions, I am inclined to
) grant one opportunity to the applicants to
) pursue with the captioned Petitions diligently.

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contd....)
CHOL/414/2024)
 in)
TPL/8975/2022)

However, it would be just and proper to impose cost on the applicants for the delay caused in filing respective Chamber Orders. Hence, I pass following order :

ORDER

CHOL/413/2024)
 in)
TPL/29443/2022)

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

CHOL/416/2024)
 in)
TPL/2591/2021)

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

In view of above, all three Chamber Orders are allowed and signed separately.

The original Order be kept in Chamber Order No. 414/2024 and true copies of this Order be kept in Chamber Order Nos. 413/2024 and 416/2024.

Date : 14.01.2025

Prothonotary and Senior Master

Digitally
signed by
RAJEEV VIJAY
ACHARYA
Date:
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