

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 30th September, 2025

FOR DIRECTION :

13 CHOL/465/2025) Ms. Nidhi Chauhan I/b. Vishwanath Patil,
 in) Advocate for the applicant.
 ARBPL/5531/2023)
) None present for the respondents.
)
) P.C.: The present Chamber Order is taken out 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. Advocate for the applicant made a
) statement that respondent is served with the
) Chamber Order and affidavit of service is filed
) on record. Despite of service, none appeared
) for the respondent.
)
) Heard ld. Advocate for the applicant. Perused
) Affidavit in Support, contents of which are
) self-explanatory. It is contended that Junior
) entrusted with the captioned matter suffered
) from severe medical conditions and was on
) leave till July 2023 and thereafter, left the
) Chambers of Advocate on record without
) updating about the matter. It is further
) contended that ld. Advocate on record was not
) aware about listing of the matter as email was
) not received to him due to which office
) objections could not be removed within given
) time. Ld. Advocate submits that now he will
) pursue with the captioned diligently if it is
) restored to file.
)
) None appeared for the respondent. Therefore,
) contentions raised on oath by the applicant
) remain uncontested. Hence, I do not hesitate
) to rely on the same for the purpose of
) restoration of captioned Petition. Moreover,
) substantial justice cannot be denied on
) technical grounds. However, in the interest of

justice, it would be just and proper to impose certain cost with a view that the applicant should be more vigilant in pursuing with captioned Petition. Hence, in the interest of justice, present Chamber Order is granted as prayed subject to payment of cost of Rs. 2,500/- to 'The High Court Employees Medical Welfare Fund at Mumbai' – Bank of India, Mumbai (Main) Branch, Account No. 000120110001337, IFSC CODE : BKID0000001, **within two working days**. Chamber Order is signed separately.

Upon payment of cost, the petitioner to remove office objections of Petition and get the same registered and/or numbered within **two weeks**, failing Petition to stand rejected for non-compliance of office objections under O.S.Rule 986.

Prothonotary and Senior Master

Digitally
signed by
RAJEEV
VIJAY
ACHARYA
Date:
2025.10.01
10:46:15
+0530