

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 09th April, 2025

FOR DISMISSAL :

35 CHOL/488/2024) Mr. Sachchidanand Pandey Advocate for the
 in) applicant.
 EXAL/32822/2022)
) None present for the respondents.
)
) P.C.: The present Chamber Order is taken out by
) the applicant for setting aside Order dated
) 08.07.2024, rejecting captioned Application
) under O.S.Rule 986 for non-compliance of
) office objections.
)
) Ld. Advocate for the applicant tenders
) Affidavit of Service, which shows that packets
) sent to respondent nos. 1 and 2 are returned
) with remarks "Left", however, packet of
) respondent no. 3 is delivered on 26.03.2025.
) Affidavit of Service is taken on record.
)
) It appears from the Cause Title that
) respondent no. 1 is Partnership Firm; whereas
) respondent nos. 2 and 3 are partners. Service
) upon one of the partners of Firm is sufficient
) to hold that rest of the respondents are served.
) Hence, the present Chamber Order is taken up
) for hearing. Despite service, none appeared
) for the respondents.
)
) Heard Ld. Advocate for the applicant. Perused
) Affidavit in Support, contents of which are
) self-explanatory. It is contended that attorney,
) who was previously handling matter, was
) unable to appear due to internal issues within
) the Law Firm and therefore, the applicant and
) associate lost track of the matter. Ld. Advocate
) prays for granting one opportunity to pursue
) with the captioned Application.
)
) Reason mentioned on oath, appears to be
) bonafide and substantial justice cannot be
) denied on technical ground. Moreover, none

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appeared for the respondents to resist ground raised in the Affidavit. Hence, in my view, the applicant should get one opportunity to pursue with the captioned Application. Hence, in the interest of justice, the present Chamber Order is granted as prayed and signed separately subject to payment of cost of Rs. 2,500/- to the High Court Legal Services Committee, Mumbai.

The applicant is directed to remove office objections on the Application and get the same registered and/or numbered within two weeks from the date of payment of cost, failing Application to stand rejected for non-compliance of office objections under O.S.Rule 986.

Date : 09.04.2025

Prothonotary and Senior Master

RAJEEV
VIJAY
ACHARYA

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signed by
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