

Before : Sachin B. Bhansali
Prothonotary and Senior Master

Date : 16th January, 2025

FOR HEARING AND FINAL DISPOSAL :

14. CHOL/502/2024

) Mr. Prasad Rokade a/w. Mr. Yogesh Dharra i/b. Mr.
) Ashok Saraogi, Advocate for Applicant
)
) Ms. Manisha Gawade, AGP for State of Maharashtra
)
) P.C.: The present Chamber Order is taken out by
) the Petitioner for setting aside Order dated
) 05.03.2024, rejecting captioned Petition under
) O.S.Rule 986 for non-compliance of office objections.
)
) Affidavit of Service showing service of present
) Chamber Order is already filed on record.
)
) Perused Chamber Order and Affidavit in Support of
) Chamber Order. Heard Ld. Advocate appearing for
) the Petitioner, who submits that Petitioner was solely
) dependent on the advise of the Advocate who had
) already instructed his Clerk to remove office
) objections on the Petition and get the same
) numbered / registered. However, due to
) inadvertence on the part of the Advocate Clerk and
) non-communication between the Petitioner and
) Advocate, Petition got rejected for want of
) compliance. Ld. Advocate further submits that he
) came to know about the said fact in the month of
) August, 2024 and therefore delay of 186 days caused
) in filing present Chamber Order may be condoned by
) allowing present Chamber Order.
)
) I have considered submissions as canvassed by Ld.
) Advocate and contentions made in Affidavit as
) above. Due to inadvertence on the part of Advocate
) Clerk, as stated in the Affidavit by the Petitioner,

..... Continued

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) captioned Petition got rejected and 186 days delay
) was caused in filing present Chamber Order.
) Reasons put forth for condonation of delay and
) restoration of the captioned Petition appears to be
) bonafide. Hence, I deem it fit to condone delay and
) allow present Chamber Order. Hence, I pass
) following order :

)

) **ORDER**

)

) Delay of 186 days caused in filing present Chamber
) Order is condoned subject to payment of cost of Rs.
) 1,000/- to the Maharashtra State Legal
) Services Authority within two weeks from the
) date of uploading of order.

)

) Petitioner to remove office objections on the Petition
) and get the same numbered and/or registered 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.

)

) In view of above, Chamber Order stands allowed.

Date : 16.01.2025

Prothonotary & Senior Master

M.N.
Kadam

Digitally signed
by M.N. Kadam
Date:
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