

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 21st March, 2025

FOR HEARING AND FINAL DISPOSAL :

25 CHOL/95/2025) Mr. B. N. Jadhav i/b. Rustamji and Ginwala,
 in) Advocate for the applicant.
 CTSL/18957/2022)
) None present for the respondent.
)
) P.C.: The present Chamber Order is e-filed by the
) applicant for setting aside Order dated
) 13.09.2024, rejecting captioned Caveat under
) O.S.Rule 986 for non-compliance of office
) objections.
)
) Ld. Advocate for the applicant submits that the
) respondent was served with the Chamber
) Order as per Affidavit of Service dated
) 05.03.2025, which is filed on record. Despite
) 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 one of
) the office objections with regard to correction
) in Cause-Title in the same manner as in the
) Petition could not be complied with since the
) respondent/petitioner did not serve copy of
) petition. Therefore, the applicant has taken
) search of record and proceedings of the
) Petition, however, it took sometime. It is
) further contended that for the same reason,
) delay of 94 days caused in filing present
) Chamber Order, which was unintentional. Ld.
) Advocate submits that he will pursue with the
) captioned Caveat diligently if it is restored to
) file by condoning delay.
)
) Reasons mentioned in the Affidavit by the
) applicant, remain uncontested for want of
) resistance on the part of the respondent.
) Therefore, I do not hesitate to rely on the said
) reasons for considering present Chamber
) Order favourably with a view that the

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contd....	)	applicant would get one opportunity to pursue
CHOL/95/2025	)	with the caveat. Hence, in the interest of
in	)	justice, delay of 94 days, caused in filing
CTSL/18957/2022	)	present Chamber Order, is condoned and the
	)	present Chamber Order is granted as prayed.
	)	
	)	The caveator to remove office objections on
	)	the Caveat and get the same registered and/or
	)	numbered within two weeks from the date of
	)	uploading of order, failing Caveat to stand
	)	rejected for non-compliance of office
	)	objections under O.S.Rule 986.

Date : 21.03.2025

Prothonotary and Senior Master

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