

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 10th October, 2025

FOR HEARING AND FINAL DISPOSAL :

44 CHOL/321/2025) Mr. Vishal Hegde a/w. Rohit Maurya and Ms.
 in) Nooraksha Ansari I/b. Samudra Legal LLP,
 WPL/21942/2022) Advocate for the applicant.
)
) Mr. Prashant Chauhan a/w. Ms. Sannidhi
) Shetty, Advocate for respondent nos. 3 and 4.
)
) P.C.: The present Chamber Order is filed by the
) applicant for setting aside Order dated
) 25.02.2025, rejecting captioned Petition under
) O.S.Rule 986 for non-compliance of office
) objections.
)
) Ld. Advocate for the applicant submits that
) respondents were served with the Chamber
) Order as per Affidavit of Service filed on
) record. Despite service, none appeared for the
) respondents, save and except respondent nos.
) 3 and 4.
)
) Heard ld. Advocate for the applicant. Perused
) Affidavit in Support, contents of which are
) self-explanatory. It is categorically contended
) that due to multiple proceedings viz. Writ
) Petition, Appeal and matter pending before the
) Co-operative Court, office objections could not
) be complied with within given period. It is
) contended that now the applicant will pursue
) with the captioned Petition diligently and
) prayed for restoration of captioned Petition.
)
) Respondent nos. 3 and 4 opposed present
) Chamber Order by filing Affidavit in Reply,
) filed on 18.09.2025, contents of which are self
) explanatory. Heard ld. Advocate for
) respondent nos. 3 and 4. The present
) Chamber Order is opposed mainly on the
) ground that the applicant has no authority to
) file the present Chamber Order and therefore,
) it may be dismissed since it is devoid of merits.

contd....)
CHOL/321/2025)
in)
WPL/21942/2022)

Considering grounds raised by the applicant, on oath, appear to be bonafide by which in my view, the applicant has made out a case for restoration of captioned Petition. On the contrary, no prejudice would cause to the respondent nos. 3 and 4 if captioned Petition is restored to file since they can contest the captioned Petition on its own merits once it is restored to file. At this stage, if captioned is not restored to file, the applicant will be thrown out of Court and he will be deprived from the justice. Hence, in the interest of justice, I consider present Chamber Order favourably. However, it would be just and proper to impose certain cost upon the applicant for the purpose of restoration of captioned Petition. Hence, the present Chamber Order is granted as prayed subject to payment of cost of Rs. 5,000/- each to respondent nos. 3 and 4 within three working days from today. Accordingly, the present Chamber Order is signed separately.

Upon payment of cost, as directed above, the petitioner to remove office objections of Petition and get the same registered and/or numbered on or before 31.10.2025, failing Petition to stand rejected for non-compliance of office objections under O.S.Rule 986.

Date : 10.10.2025

Prothonotary and Senior Master

RAJEEV
VIJAY
ACHARYA