

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 14th October, 2025

FOR DIRECTION :

11	CHOL/461/2025	)	Mr. Suraj Naik i/b. Akshay Subhash Dalvi,
	in	)	Advocate for the applicant.
	SL/13872/2025	)	
		)	P.C.: The present Chamber Order is e-filed by the
		)	applicant for setting aside Order dated
		)	30.07.2025, rejecting captioned Suit under
		)	O.S.Rule 986 for non-compliance of office
		)	objections.
		)	
		)	Ld. Advocate for the applicant tenders
		)	Affidavit of Service and submits that
		)	respondents were served with the Chamber
		)	Order. Ld. Advocate is directed to file Affidavit
		)	of Service in the department. 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 categorically contended
		)	that office objections of Leave Petition were
		)	complied with, however, further office
		)	objections were raised, which could not be
		)	complied with within given time. Ld.
		)	Advocate for the applicant submits that
		)	inadvertently, he had filed Leave Petition
		)	under Clause XIV of Letters Patent Rules
		)	instead of Clause XII, and now he has filed
		)	Leave Petition (L) No. 26733/2025 under
		)	Clause XII of Letters Patent Rules. Ld.
		)	Advocate further submits that now he will
		)	pursue with the captioned Suit, so also, Leave
		)	Petition diligently and requests for restoration
		)	of captioned Suit.
		)	
		)	Grounds raised on oath, by the applicant
		)	remain uncontested for want of resistance on
		)	the part of respondents. Therefore, I do not
		)	hesitate to rely on the same for the purpose of
		)	restoration of captioned Suit. No prejudice
		)	would cause to the respondents if captioned

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contd....	)	Suit is restored to file since they can contest it
CHOL/461/2025	)	on its own merits. Hence, in the interest of
in	)	justice, the present Chamber Order is granted
SL/13872/2025	)	as prayed.
	)	
	)	The plaintiff to remove office objections of
	)	Suit and get the same registered and/or
	)	numbered within four weeks from the date of
	)	decision / outcome of Leave Petition (L) No.
	)	26733/2025, failing Suit to stand rejected for
	)	non-compliance of office objections under
	)	O.S.Rule 986.
	)	
	)	Needless to mention that the plaintiff is at
	)	liberty to carry out necessary amendment, if
	)	any.

Date : 14.10.2025

Prothonotary and Senior Master

RAJEEV
VIJAY
ACHARYA
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signed by
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ACHARYA
Date:
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