

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION**

COMMERCIAL ADMIRALTY SUIT NO. 13 OF 2023

Anand Prakash Puga

...Plaintiff

V/s.

Sale proceeds of the Vessel

M V Malavia Nine IMO 9334179

...Defendant

**WITH
INTERIM APPLICATION NO. 4331 OF 2025
IN
INTERIM APPLICATION (L) NO. 20917 OF 2024**

Mr. Rupesh R. Lanjekar for the Applicant.

**CORAM : ABHAY AHUJA, J.
DATE : 20th SEPTEMBER, 2025**

PC. :

Interim Application No. 4331 of 2025

1. This Interim Application seeks restoration of the Interim Application (L) No. 20917 of 2024, which had been filed under Order XIII A of the Code of Civil Procedure, 1908 and which had been dismissed by a self operative order of this Court for non removal of the office objections.

2. Mr. Lanjekar, learned Counsel appearing for the Applicant submits that the Advocate had instructed the clerk to remove office objections and obtain registered number as per the order dated 28th March, 2025. That the objections were removed, however, by the time

the same was done, the time granted in the order had expired. It is submitted that the same happened due to inadvertent mistake of the clerk. However, as soon as the Advocate came to know, this Application has been filed for restoration. It is submitted that the failure to remove office objections is not deliberate or intentional.

3. It is submitted that there is a delay of 56 days in filing the Application and that this Court may condone the delay and permit the Application. Mr. Lanjekar submits, on instructions, that the Applicant/Plaintiff can put to any terms for the said restoration.

4. Having heard the learned Counsel and having considered the submissions, for reasons submitted as above and as contained in the Application, however, subject to payment of costs of Rs. 10,000/- to the High Court Employees Medical Welfare Fund at Mumbai, within a period of two weeks, the Interim Application is allowed in terms of the prayer Clauses (a) and (b), which read thus:-

“(a) That this Hon’ble Court be pleased to condone the delay of 56 days caused in filing present Interim Application.

(b) That this Hon’ble Court be pleased to restore the Interim Application (L) No. 20917 of 2024 of the file of this Hon’ble Court and be pleased to grant two weeks’ time to remove office objections and to obtain register number.”

5. The Interim Application stands allowed and disposed as above.

(ABHAY AHUJA, J.)