

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO. 4837 OF 2025
IN
INTERIM APPLICATION (L) NO. 34202 OF 2023**

Aruna Mohan Kamath (Since decease) ...Applicant
V/s.
M/s Yash Builders and Anr. ...Respondents

Ms. Darshana Vora i/b Mr. Mehul Rathod for the Applicant.
None for the Respondents.

CORAM : ABHAY AHUJA, J.
DATE : 4th SEPTEMBER, 2025

P.C. :

Interim Application No. 4837 of 2025

1. This Interim Application seeks restoration of the Interim Application that has been dismissed for non removal of the office objections by a self operative order of this Court.

2. Ms. Vora, learned Counsel appears for the Applicant and at the outset tenders an unconditional apology to the Court for the lapse of not complying with the objections within a stipulated time, submitting that the same was due to inadvertence. Ms. Vora submits that the lapse was absolutely unintentional. Ms. Vora draws this Court's attention to paragraphs 2 to 7 of the said Application to explain the same. Ms. Vora submits that this Court may, therefore, restore the Interim Application (L) No. 34202 of 2023 and permit removal of office objections in a time

bound manner. Ms. Vora also submits that the Interim order granted before the self operative dismissal of the Interim Application also be restored and continued.

3. Ms. Vora submits that this Application has also been served and an intimation of today's hearing also been given to the Respondents, however, none appears for the Respondents in the Interim Application. Ms. Vora submits that this Court may impose any reasonable terms for restoring the Interim Application.

4. Having heard the learned Counsel and having considered her submissions and having perused paragraphs 2 to 7 of the Interim Application, I am of the view that a case for restoration has been made out. However, this Court is inclined to allow the Application subject to payment of costs.

5. Accordingly, subject to payment of costs of Rs. 10,000/- within a period of two weeks to the High Court Non Gazetted Ministerial Staff Association, Mumbai, the Interim Application is allowed in terms of prayer Clauses (b), (c) and (e), which read thus:-

“(b) That this Hon’ble Court be pleased to direct the office of Hon’ble Prothonotary and Senior Master of this Hon’ble Court to restore the Interim Application No. (L) 34202 of 2023 to the files of this Hon’ble Court, in the manner and upon such conditions as this Hon’ble Court deems fit and proper.

(c) That this Hon’ble Court be pleased to permit the Applicants to remove the Office objections in the said Interim Application (L) No. 34202 of 2023, within such 4 weeks, or such other reasonable time, and upon such other terms and conditions, as this Hon’ble Court may deem fit and proper.

(e) That pending the hearing and final disposal fo the present Interim Application for Restoration, this Hon’ble Court be pleased to pass necessary orders and directions to the effect that all interim and ad-interim reliefs granted in the Interim Application (L) No. 34202 of 2023, from time to time , stand restored and shall continue to remain in force, on such terms and conditions as this Hon’ble Court may deem fit and proper.”

6. The Interim Application accordingly stands allowed and disposed as above.

(ABHAY AHUJA, J.)