

PH. Jayani

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1185 OF 2026
IN
CIVIL WRIT PETITION (ST.) NO. 14025 OF 2024

Vijaya Kunden and anr.

... Applicants/
Petitioners

Versus

Institute of Chartered Accountants of
India, New Delhi and anr.

... Respondents

Mr. Vihit Shah i/b. Mr. Ruturaj H. Gurjar for the Applicants/
Petitioners.

CORAM: SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.

DATED: 04th MARCH, 2026

PC:-

1. By this Application, the Applicants pray for an order condoning the delay of 400 days in filing the present Application to restore the Writ Petition (St.) No. 14025 of 2024 to the file, the restoration of which was refused on account of non-removal of office objections within the stipulated time.

2. Heard Mr. Vihit Shah, learned Advocate for the Applicants.

3. In the conditional Order dated 9th September, 2024, the Registrar (Judicial-I) noted that, despite the said Petition was sufficiently notified for removal of the office objections, the learned Advocate for the Petitioners failed to remove the office objections. Therefore, the learned Registrar was constrained to direct that if the office objections were not removed within period of two weeks, the registration of the Petition would stand refused automatically without further reference to the Registrar. However, the Petitioners had failed to comply this direction. In consequence thereof, the said refusal got confirmed.

4. Mr. Shah, learned Advocate for the Applicants/Petitioners, submitted that the Applicants have a strong case on merits. He further submitted that due to migration of servers, the Applicants were unable to remove the office objections online within the stipulated time. However now, the Applicants are ready to remove the office objections at the earliest. He contended that if the delay is not condoned and the Petition is not restored to the file, the Applicants would suffer irreparable loss. Hence, he has submitted that the present Application be considered favourably.

5. The Petitioners have not derived any undue advantage on account of the said delay. If the delay is condoned, no prejudice would be caused to the other side.

6. In view thereof the reasons stated above, we are inclined to allow the Application. Hence, the following Order :-

(a) Interim Application No.1185 of 2026 is allowed.

(b) The delay of 400 days in filing the present Application is condoned and the Petition is restored to file.

(c) The aforesaid Petition stands restored to the file with immediate effect.

(d) The learned Advocate for the Petitioners is directed to remove the office objections within three weeks from the date of uploading of this Order.

7. Interim Application is disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)

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