

Before : Anil H. Laddhad
Prothonotary and Senior Master

Date : 13th February, 2026

CALLED FOR HEARING AND FINAL DISPOSAL :

17. CHOL/11/2026
IN S/240/2024

-) Mr. Kamlesh Jain i/b. Mr. Yajuvendra Singh,
-) Advocate for Plaintiff / Applicant
-) Ms. Smriti Sajeev i/b. M/s. Mhatre Law
-) Associates, Advocate or Defendant No. 4
-)
-) P.C. : The present Chamber Order is taken out by
-) the Applicant for setting aside Order dated
-) 02.12.2025, dismissing captioned Suit under O.S.
-) Rule 87 for non-prosecution.
-)
-) Heard Ld. Advocate for the Applicant. Perused
-) Affidavit in support of the Chamber Order. It is
-) contended that vide Order dated 12.09.2025,
-) three weeks time was granted to the Plaintiff to
-) take steps to lodge and serve Writ of Summons
-) upon payment of cost of Rs. 5,000/- to 'The High
-) Court Employees Medical Welfare Fund at
-) Mumbai' which was required to be paid within
-) three working days. Accordingly, Plaintiff paid
-) cost of Rs. 5,000/- on 15.09.2025 and upon
-) issuance of Writ of Summons, he got the same
-) served through Bailiff of Sheriff of Bombay and
-) Affidavit of Service dated 28.11.2025 was filed. It
-) is further contended that on 02.12.2025, he could
-) not remain present before this Authority as he was
-) held up in another Court. Hence, it is prayed that
-) present Suit may be restored by setting aside
-) Order dated 02.12.2025.
-)
-) Upon perusal of record it appears that Affidavit of
-) Service dated 28.11.2025 was filed on
-) 03.12.2025. As the Order dated 12.09.2025 is
-) complied, present Chamber Order is granted as
-) prayed and signed separately.
-)
-) Office to list the Suit before this Authority in due
-) course.

Date : 13.02.2026

Prothonotary & Senior Master