

Before : Anil H. Laddhad
Prothonotary and Senior Master

Date : 13th January, 2026

CALLED FOR HEARING AND FINAL DISPOSAL :

17. CHOL/19/2026
IN
TP(L)/2412/2024

) Mr. Kartik Malusare i/b. Mr. Kiran Mohite,
) Advocate for Petitioner
)

) P.C. : The present Chamber Order is e-filed by the
) Applicant for setting aside Order dated
) 28.03.2025, rejecting captioned Petition under
) O.S.Rule 986 for non-compliance of office
) objections.
)

) Heard Ld. Advocate for the Applicant. Perused
) Affidavit in Support to the Chamber Order. It is
) contended therein that one of the office objections
) was production of original Death Certificate of the
) deceased. The Petitioner immediately tried to
) obtain Death Certificate from the concerned office
) at Galveston County Health District, State of
) Texas, United States of America, however, it was
) informed that the legal heir has to remain present
) before the concerned authority for obtaining
) Death Certificate, which is condition precedent as
) per US Law. It is further contended that it is not
) possible for the Petitioner to travel with his son to
) collect Death Certificate due to his health and
) mental capacity and communication with US
) office took reasonable time.
)

) Ld. Advocate for the Applicant submits that the
) Petitioner is the resident of UK and due to the
) difficulties mentioned in Affidavit in support,
) present Application was prepared and sent to the
) Petitioner for approval and execution. After
) signing and notarization, it was again sent by the
) Petitioner to the Advocate for the purpose of filing
) before this Hon'ble Court. Hence, there is a delay
) of 204 days in filing present Chamber Order. Ld.
) Advocate further submits that he will pursue with
) the caption Petition diligently, and prays for

..... Continued

Prothonotary and Senior Master
Date : 13th January, 2026

: 2 :

) restoration of the same by condoning delay.

)
) Reasons mentioned in Affidavit appear to be
) genuine. So also, Ld. Advocate for Applicant has
) explained delay, caused in filing present Chamber
) Order satisfactorily.

)
) In view of above, the Applicant has made out case
) for restoration of captioned Petition. Therefore,
) delay of 204 days caused in filing present
) Chamber Order is condoned and present Chamber
) Order is granted as prayed.

)
) The Petitioner to remove office objections on the
) Petition and get the same registered and/or
) numbered within **two weeks** from the date of
) uploading of order, failing Petition to stand
) rejected for non-compliance of office objections
) under O.S.Rule 986.

Date : 13.01.2026

Prothonotary & Senior Master