

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 05th March, 2026

FOR DISMISSAL :

9	CHOL/121/2026	)	Ms. Aparna Wagle, Advocate for the applicant.
	in	)	
	EXAL/19793/2025	)	P.C.: The present Chamber Order is filed by the
		)	applicant for setting aside Order dated
		)	20.09.2025, rejecting captioned Application
		)	under O.S.Rule 986 for non-compliance of
		)	office objections.
		)	
		)	Ld. Advocate for the applicant made a
		)	statement that respondent was served with the
		)	Chamber Order as per Affidavit of Service filed
		)	on 25.02.2026. Statement is accepted.
		)	Despite service none appeared for the
		)	respondent.
		)	
		)	Heard ld. Advocate for the applicant. Perused
		)	Affidavit in Support, contents of which are self
		)	explanatory. It is contended that Advocate
		)	was not aware about conditional order passed
		)	in the matter due to which office objections
		)	could not be removed in given time. It is
		)	contended in Additional Affidavit in Support
		)	that delay of 13 days caused in filing present
		)	Chamber Order, which was not intentional.
		)	Therefore, it is prayed present Chamber Order
		)	may be allowed by condoning delay.
		)	
		)	Contentions raised in Affidavit and Additional
		)	Affidavit remain uncontested for want of
		)	resistance on the part of respondent.
		)	Therefore, I do not hesitate to rely on the
		)	same for the purpose of restoration of
		)	captioned Execution Application with a view
		)	that the applicant should get one opportunity
		)	to pursue with the Application. No prejudice
		)	would cause to the respondent since
		)	respondent can contest Application on its own
		)	merits. However, it would be just and proper
		)	to impose certain cost on the applicant so that
		)	he would be diligent in pursuing with

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contd....) captioned Application. Office informed that
CHOL/121/2026) there is delay of 11 days caused in filing
in) present Chamber Order. Hence, in the interest
EXAL/19793/2025) of justice, delay of 11 days caused in filing
) Chamber Order is condoned and present
) Chamber Order is granted as prayed subject to
) payment of Rs. 2,500/- to 'The High Court
) Employees Medical Welfare Fund at Mumbai' –
) Bank of India, Mumbai (Main) Branch,
) Account No. 000120110001337, IFSC CODE :
) BKID0000001. Chamber Order is signed
) Separately.
)
) Upon payment of cost, captioned Execution
) Application be restored to file and the
) applicant to remove office objections of
) Application and get the same registered
) and/or numbered by filing compliance
) praecipe within two weeks from the date of
) payment of cost, failing Application to stand
) rejected for non-commercial of office
) objections under O.S.Rule 986.

Date : 05.03.2026

Prothonotary and Senior Master

Digitally
signed by
RAJEEV
VIJAY
ACHARYA
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