

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 16th January, 2026

FOR HEARING AND FINAL DISPOSAL :

35 CHOL/716/2025) Ms. Nidhi Chawda i/b. Indira Labde, Advocate
 in) for the applicant.
 SL/38857/2024)
) P.C.: The present Chamber Order is filed by the
) applicant for setting aside Order dated
) 24.04.2025, rejecting captioned Suit under
) O.S.Rule 986 for non-compliance of office
) objections.
)
) Ld. Advocate for the applicant made a
) statement that respondents were served with
) the Chamber Order and Affidavit of Service is
) filed. Despite service, none appeared for the
) respondents.
)
) Heard ld. Advocate for the applicant. Perused
) Affidavit in Support, contents of which are
) self-explanatory. It is contended that
) circulation was granted of captioned Suit,
) however, later it was learnt that office
) objections with respect to typed copy,
) translation and improper numbering remained
) to be complied with inadvertently. It is further
) contended that delay of 40 days caused in
) filing present Chamber Order, which was not
) intentional. Ld. Advocate submits that now
) she will pursue with captioned Suit diligently
) and prays for restoration of the same by
) condoning delay.
)
) Contentions raised in Affidavit, remain
) uncontested for want of resistance on the part
) of respondents. Moreover, substantial justice
) cannot be denied on technical ground. I am of
) the opinion that applicant should get one
) opportunity to pursue with captioned Suit. No
) prejudice would cause to the respondents
) since they can contest Suit on its own merits.
) However, it would be just and proper to
) impose certain cost on the applicant so that

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contd....)
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Date : 16.01.2026

Prothonotary and Senior Master

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