

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 27th February, 2026

FOR DIRECTION :

13	CHOL/119/2026	)	Ms. Pooja Dongre i/b. Pooja Dongre, Advocate
	in	)	for the applicant.
	S/66/2025	)	
	with	)	P.C.: The present Chamber Order is filed by the
	IA/1413/2025	)	applicant for setting aside Order dated
		)	13.01.2026, dismissing Suit for non-
		)	prosecution under O.S.Rule 87.
		)	
		)	Ld. Advocate for the applicant made a
		)	statement that respondents were served with
		)	the Chamber Order as per Affidavit of Service
		)	dated 12.02.2026, filed on 16.02.2026.
		)	Despite service, none appeared for the
		)	respondents.
		)	
		)	Heard ld. Advocate for the applicant. Perused
		)	Affidavit in Support of the applicant, contents
		)	of which are self-explanatory. It is contended
		)	that due to technical issues and glitches of the
		)	High Court website, Advocate on record did
		)	not receive any email or electronic intimation
		)	regarding listing of the matter, therefore,
		)	Advocate could not remain present in the
		)	matter. It is contended that private Affidavit of
		)	Service in Suit had already been filed,
		)	however, Affidavit of Service of Bailiff
		)	remained to be filed. Therefore, it is prayed
		)	that Suit No. 66 of 2025 alongwith connected
		)	Application may be restored to file.
		)	
		)	Ld. Advocate for the applicant made a
		)	statement that she has not received any e-
		)	mail/messages about listing of the matter.
		)	Statement is accepted.
		)	
		)	Grounds mentioned in Affidavit appear to be
		)	bonafide and substantial justice cannot be
		)	denied on technical ground. Moreover,
		)	contentions raised in Affidavit remain
		)	uncontested for want of resistance on the part

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contd....	)	of respondents. Hence, in the interest of
CHOL/119/2026	)	justice, present Chamber Order is granted as
in	)	prayed and signed separately.
S/66/2025	)	
with	)	The plaintiff is directed to file Affidavit of
IA/1413/2025	)	Service of Bailiff, showing service of Writ of
	)	Summons, upon defendants within period of
	)	two weeks from the date of uploading of order,
	)	failing suit will be dismissed for non-
	)	compliance of O.S.Rule 87.
	)	
	)	Advocate for the plaintiff is directed to provide
	)	phone number as well as e-mail to the
	)	department. Thereafter, office is directed to
	)	take follow up action and/or to make
	)	correspondence with the C.P.C. Department to
	)	resolve technical issue, if any, in respect
	)	thereof.
	)	
	)	Upon filing and/or non-filing of Affidavit of
	)	Service, office is directed to list the matter on
	)	board for appropriate direction.

Date : 27.02.2026

Prothonotary and Senior Master

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signed by
RAJEEV
VIJAY
ACHARYA
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