

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 20th February, 2026

FOR HEARING AND FINAL DISPOSAL :

24	CHOL/138/2026	)	Mr. Husrav Sukhia i/b. M. Mulla Associates,
	in	)	Advocate for the applicant.
	EXAL/4368/2025	)	
		)	P.C.: The present Chamber Order is e-filed by the
		)	applicant for setting aside Order dated
		)	18.12.2025, rejecting captioned Application
		)	under O.S.Rule 986 for non-compliance of
		)	office objections.
		)	
		)	Ld. Advocate for the applicant made a
		)	statement that respondents were served with
		)	Chamber Order as per e-filed Affidavit of
		)	Service dated 12.02.2026. Statement is
		)	accepted. 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 there
		)	was confusion at the end of erstwhile
		)	Advocate's Firm and junior Advocate did not
		)	inform about compliance of office objections.
		)	It is further contended that due to
		)	inadvertence, office objections could not be
		)	complied with. It is therefore, prayed that
		)	captioned Execution Application may be
		)	restored to file.
		)	
		)	Grounds raised in Affidavit remain
		)	uncontested for want of resistance on the part
		)	of respondents. Therefore, I do not hesitate to
		)	rely on the same for the purpose of restoration
		)	of captioned Execution Application. No
		)	prejudice would cause to the respondents
		)	since the respondents can contest matter on its
		)	own merits. Moreover, substantial justice
		)	cannot be denied on technical grounds.
		)	However, it would be just and proper to
		)	impose certain cost on the applicant so that
		)	the applicant would be diligent in pursuing

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contd....	)	with captioned Execution Application.
CHOL/138/2026	)	Hence, in the interest of justice, present
in	)	Chamber Order is granted as prayed subject to
EXAL/4368/2025	)	payment of cost 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.
	)	
	)	Upon payment of cost, captioned Execution
	)	Application be restored to file and the
	)	applicant to remove office objections of
	)	Execution Application and get the same
	)	registered and/or numbered by filing/
	)	uploading compliance praecipe within two
	)	weeks from the date of payment of cost, failing
	)	Application to stand rejected for non-
	)	compliance of O.S.Rule 986.

Date : 20.02.2026

Prothonotary and Senior Master

Digitally
signed by
RAJEEV
VIJAY
ACHARYA
Date:
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