

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 2318 OF 2026
IN
SUIT (L) NO. 8055 OF 2023

Trinity Oasis Complex Co
Operative Housing Society Ltd.)...Applicant.

V/s.

Balaji Construction Company & Ors.)...Respondents.

Mr. Sharad Bansal a/w. Mr. Sandeep Raman, Advocate for the
Applicant/Plaintiff.

Mr. Rajesh Ranglani h/f. Ms. Minal Chandnani, Advocate for
Respondent No. 1.

Mr. Sagar Joshi, Advocate for Respondent No. 3.

CORAM : ABHAY AHUJA, J.

DATE : 12th JUNE, 2026

PC. :

1. This Interim Application seeks restoration of the Suit (L)
No. 8055 of 2023, which came to be dismissed for non removal of the
office objections.

2. Mr. Bansal appears for the Applicant/original Plaintiff and

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submits that for reasons contained in the paragraphs- 3 to 15, this Court may restore the Suit subject to reasonable terms that this Court may deem appropriate to impose and thereafter grant 4 weeks' time to remove objections and obtain registered number.

3. Mr. Joshi, appears for the Respondent No. 3/original Defendant No. 3 and submits that there has been delay of more than one year in preferring this Application and if the Court is inclined to restore the Suit, the Court may do so subject to costs to be paid to the original Defendants.

4. Although throughout the Application, the Applicant has pleaded inadvertence for failing to remove office objections and obtain registered number, submitting that the delay is neither willful nor deliberate, the explanation offered in the application is not fully satisfactory.

5. However, it is settled law that Courts should decide the matters on merit rather than on technicalities and therefore, this Court is inclined to allow the application subject to payment of costs of Rs. 10,000/- to the Defendants/Respondents within a period of two weeks.

6. Subject to the above, the delay in filing this Application is condoned and the Suit is restored. Subject to above, office objections be removed within a period of 4 weeks.

7. Interim Application accordingly stands allowed and disposed.

(ABHAY AHUJA, J.)