

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 11th September, 2025

FOR DIRECTION :

2	S/294/2023	)	Ms. Jaishree Lalla i/b. Mansha Bhatia,
	with	)	Advocate for the plaintiff.
	connected matter	)	
		)	Ms. Jyothi Tated i/b. Wadia Ghandy and
		)	Company, Advocate for defendant no. 6.
		)	
		)	P.C.: On last occasion, ld. Advocate for the plaintiff
		)	made a statement that they have removed
		)	office objections of Interim Application (L) No.
		)	9079/2020. Today, ld. Advocate for the
		)	plaintiff made a statement that, that is not
		)	their Interim Application. Office objections
		)	were raised on 19.12.2024. Although
		)	endorsement was made that office objections
		)	were removed, but office objection with
		)	respect to purpose of filing, is not mentioned
		)	in the front and back page. Therefore, office
		)	objections are not removed. Looking to the
		)	conduct of the ld. Advocate for the plaintiff, I
		)	constrain to dismiss Interim Application (L)
		)	No. 9079/2020 under O.S.Rule 986 for non-
		)	compliance of office objections.
		)	
		)	Ld. Advocate for the plaintiff further made a
		)	statement that they are searching for the
		)	address of defendant no. 9 for service. But
		)	they failed to produce any proof in respect of
		)	her statement. Upon perusal of Cause-Title of
		)	the plaint, it appears that defendant no. 9 is a
		)	Society, registered under Maharashtra Co-
		)	operative Societies Act. Therefore, certainly
		)	obtaining address of registered Society is not
		)	difficult task. But it appears that the plaintiff
		)	is not inclined to take any steps as per Orders.
		)	Hence, I constrain to dismiss suit against
		)	defendant no. 9 for non-compliance of
		)	O.S.Rule 87.
		)	
		)	Since 04.03.2025, repeatedly orders were
		)	passed, directing the plaintiff to file affidavit

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contd....) of service. Inspite of that, no steps have been
S/294/2023) taken in respect of defendant no. 8. Hence, I
with) constrain to dismiss suit against defendant no.
connected matter) 8 as well for non-compliance of O.S.Rule 87.
)
) Suit against defendant nos. 1 to 7 is already
) transferred to the list of Undefended Suits.
) Remove from board.
)
) Later on Ms. Mansha Bhatia Advocate for the
) plaintiff appeared and mentioned the matter.
) Id. Advocate for the plaintiff submits that she
) is ready to file Affidavit of Service, showing
) personal service upon defendant no. 8 and
) requests to recall order, dismissing suit against
) defendant no. 8. So also, ld. Advocate
) requests to recall order, rejecting Interim
) Application under O.S.Rule 986.
)
) In view of submission of ld. Advocate, Order
) passed, dismissing suit against defendant no. 8
) is hereby recalled. So also, Order passed,
) rejecting Interim Application (L) No.
) 9079/2020 under O.S.Rule 986 is hereby
) recalled on payment of cost of Rs. 5,000/- to
) 'The High Court Employees Medical Welfare
) Fund at Mumbai' – Bank of India, Mumbai
) (Main) Branch, Account No.
) 000120110001337, IFSC CODE :
) BKID0000001 **within three working days.**
) Upon payment of cost, the applicant to remove
) office objections of aforesaid Interim
) Application and get the same registered
) and/or numbered on or before next date,
) failing Application to stand rejected for non-
) compliance of office objections under O.S.Rule
) 986. Stand over to **25.09.2025** for filing
) Affidavit of Service in respect of defendant no.
) 8.

Prothonotary and Senior Master

RAJEEV
VIJAY
ACHARYA