

Before : Anil H. Laddhad
Prothonotary and Senior Master

Date : 17th October, 2025

FOR DIRECTIONS :-

29. CHOL/378/2025
IN
S(L)/37956/2024

) Mr. Siddharth Wakode, Advocate for Applicant
) Mr. A.N. Khatri, Advocate for Defendant No. 2
)
) P.C. : The present Chamber Order is taken out by
) the Applicant for restoring the captioned Suit
) which was rejected vide Order dated 24.04.2025
) under O.S.Rule 986 for non-compliance of office
) objections.
)
) Affidavit of Service showing service of Chamber
) Order upon other side is taken on record.
)
) Heard Ld. Advocate for the Applicant. Perused
) Chamber Order and Affidavit in support of the
) Chamber Order. It is contended therein that vide
) conditional Order dated 24.04.2025, Applicant
) was directed to remove office objections within
) four weeks. However, as the Advocate on record
) was out of town during the court vacation, office
) objections remained to be removed within time
) and matter got rejected.
)
) Perused Affidavit in Reply on behalf of Defendant
) No. 2 which is already filed on record.
)
) In my view, one opportunity is required to be
) given to the applicant to pursue with the
) captioned Suit.
)
) In view thereof, the present Chamber Order is
) granted as prayed subject to 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,
) **to be paid on or before 28.10.2025.** Chamber
) Order signed separately.

.... Continued

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: 2 :

-) **Upon payment of cost**, the Plaintiff to remove
-) office objections on the Suit and get the same
-) registered and/or numbered **on or before**
-) **11.11.2025**, failing the Suit to stand rejected for
-) non-compliance of office objections under
-) O.S.Rule 986.
-)
-) After the Suit is numbered, Plaintiff to take steps
-) to serve Defendants with Writ of Summons and
-) file Affidavit of service to that effect on or before
-) next date, failing Suit against Defendants will be
-) dismissed for non-compliance of O.S. Rule 87.
-) Office to issue fresh Writ of Summons. Plaintiff to
-) comply with directions issued vide Practice Note
-) No. 60-A. Liberty is granted to the Plaintiff to
-) serve Defendants by all modes of service including
-) service upon Advocate for Defendants.
-)
-) **Suit is adjourned to 09.01.2026.**

Date : 17.10.2025

Prothonotary & Senior Master