



Before : Anil H. Laddhad, 2026:BHC-OS:9699
Prothonotary & Senior Master
Date : 17th April, 2026

FOR HEARING AND FINAL DISPOSAL :

35 CHOL/29/2026) Mr. Swapan Samdani, Advocate for the
in) applicant.
SL/769/2025)
) P.C.: The present Chamber Order is e-filed by the
) applicant for setting aside Order dated
) 16.07.2025, rejecting captioned Suit under
) O.S.Rule 986 for non-compliance of office
) objections.
)
) Ld. Advocate for the applicant tenders
) Affidavit of Service dated 17.04.2026, showing
) service of Chamber Order upon defendants,
) which is taken on record. Despite service,
) none appeared for the defendants.
)
) Heard ld. Advocate for the applicant. Perused
) Affidavit in Support, contents of which are
) self-explanatory. It is contended that the
) plaintiff is a senior citizen and his colleague is
) residing out of India due to which clear copies
) of documents could not be obtained within
) time. So also, there was communication gap
) between the plaintiff and Advocate on record.
) It is further contended that for the same
) reasons, delay of 110 days caused in filing
) present Chamber Order, which was not
) intentional. Ld. Advocate submits that now he
) will pursue captioned Suit diligently and prays
) for restoration of the same by condoning delay.
)
) Contentions raised in Affidavit remain
) uncontested for want of resistance on the part
) of defendants. Hence, I do not hesitate to rely
) on the same for the purpose of restoration of
) captioned Suit. No prejudice would cause to
) the defendants since they can contest suit on
) its own merits. In view thereof, in the interest
) of justice, delay of 110 days caused in filing
) present Chamber Order is condoned and
) present Chamber Order is granted as prayed.



2

Before : Anil H. Laddhad,
Prothonotary & Senior Master
Date : 17th April, 2026

2026:BHC-OS:9699

contd....)
CHOL/29/2026)
in)
SL/769/2025)
)
)
)

The plaintiff to remove office objections of Suit and get the same registered/numbered by filing/uploading compliance praecipe within four weeks from the date of uploading of order, failing Suit to stand rejected for non-removal of office objections under O.S. Rule 986.

Date : 17.04.2026

Prothonotary and Senior Master

Digitally
signed by
RAJEEV
VIJAY
ACHARYA
Date:
2026.04.18
11:09:39
+0530