

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
FIRST APPEAL NO. 129 OF 2018**

BAJAJ ALLIANZ GENERAL
INSURANCE CO. LTD., THR. ITS
AUT. SIGN., NILESH
SUBHASHCHANDRA GANDHI., Appellant.
Versus.

RUPESH ARVIND NAIK AND 3
ORS., Respondents.

Mr. Amey Kakodkar, Advocate *for the Appellant.*

Mr. Jeevan Bandekar, Advocate *for Respondent No.2.*

CORAM : M. S. SONAK, J.

DATE : 6th May, 2022.

P.C.: -

1. The record indicates that after this appeal was admitted, notice was issued by the Tribunal on 1/12/2018, requiring the Appellants to deposit the charges for preparation of the paper book. Since no charges were deposited, on 15/1/2020, a reminder was sent. Despite all this, the paper book charges were not paid.
2. The matter is pending since 2020 because of the failure on the part of the Appellant to take steps. By a communication

dated 15th May, 2020, the Chief Administrative Officer of the District & Sessions Court, Margao (Tribunal) has forwarded a list of cases pending due to non-payment of paper book charges. In the list, there is a reference to the notices sent to the parties/their Advocates.

3. Mr. Kakodkar, however, states that no notice has been received from the District Court/Tribunal in this matter. At this stage, we cannot go by such a statement made across the Bar. The records indicate that at least two notices were served. Therefore, this is a case where the Appellants have shown no diligence in pursuing this Appeal which was admitted way back in the year 2018.

4. For all these reasons, this Appeal is dismissed for non-prosecution.

M. S. SONAK, J.

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