

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.807 OF 2004

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
CORAM : <u>S.R. AGRAWAL</u> <u>REGISTRAR (JUDL. - II)</u> DATE : 12th October, 2023 Advocate Pooja Bendkale Present on behalf of Shri I.M. Khairdi, Advocate for Respondent. The above numbered Second Appeal is listed on the board of Registrar third time. Already, four weeks time has been granted, however, despite granting four weeks time, the Paper Book is not filed. The Hon'ble Court vide order dated 12/08/2022 was pleased to direct to file Paper Book within 06 weeks. However, order was not complied. Here reference to Chapter VII Rule 10 sub rule (iii) to (vi) of the Bombay High Court, Appellate Side Rules, 1960 (for short "Rules") may be conveniently made. It states about processes, process fees, printing charges, security for coests and other procedure after admission etc.	

In view of provisions under Chapter VII, Rule 10(iii), the Advocates/Parties are expected to supply to the office for the use of the Court two copies of the typed paper book containing the papers specified in sub-rule (i) within 02 months of the order directing notice to issue or the order of the Court to the contrary.

Rule 10(vi) further provides that, immediately after the expiry of the periods prescribed under sub-rules (iii) and (iv) above for the supply of paper books, the office shall place before the Registrar all such matters, if the paper books and the title sheets have not been supplied within the prescribed time, and the Registrar shall dismiss all such matters for failure to prosecute :

The prescribed time to file the paper book provided under Rule 1960 has been expired. 04 weeks time was granted, but all in vain. The matter is lying ideally without any progress due to non supply of paper book since 2022. However, instead of passing order of dismissal outrightly, it would be just and proper to give one opportunity to file the paper book.

In turn, two weeks time is granted with directions to file paper book without fail. On

failure, Second Appeal would stand dismissed, without further reference to the Court of Registrar. No further extension will be granted.

sd/-
Registrar (Judl. - II)

dsm