

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

FIRST APPEAL NO. 1604 OF 2005

Office Notes, Office Memoranda of Coram,
appearance, Court's Orders or directions and
Registrar's orders

Court's or Judge's order

CORAM : SHRI S. R. AGRAWAL
REGISTRAR (JUDL -II)

DATE : 05/10/2023

None Present

The above numbered First Appeal is listed on the board of Registrar for three times for not taking steps against unserved Sole Respondent. Learned Advocate for Appellant has neither taken steps nor supplied proper and correct address of the Sole Respondent. Already 04 weeks time was granted. However, despite of granting 04 weeks time, the Learned Advocate for the Appellant has not taken any steps against the unserved Sole Respondent.

Here reference to Chapter VII Rule 6 Sub rule 1 & 2 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 costs and other procedure after admission etc.

In view of provisions under Chapter VII, Rule 6 (1) (e), Immediately after the expiry of the period prescribed under the foregoing sub-rule of this rule for taking the requisite steps for the issue of fresh notice or or supplying postal stamps to cover the postal and

registration charges, the office shall place before the Registrar all such matters in which steps have not been taken for the issue of fresh notices or the postal stamps to cover the postal and registration charges have not been supplied within the prescribed time, and the Registrar shall dismiss the matter for failure to prosecute.:

The prescribed time to take steps against unserved Sole Respondent 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 not taken any steps. However, instead of passing order of dismissal outrightly, it would be just and proper to give one opportunity to take steps against unserved Sole Respondent.

In turn two weeks time is granted with directions to take steps against unserved Sole Respondent without fail. On failure, the First Appeal would stand dismissed against unserved Sole Respondent without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)