

FARAD CONTINUATION SHEET NO.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 856 OF 2017 A/w.
CIVIL APPLICATION NO. 857 OF 2017
IN
FIRST APPEAL (STAMP) NO. 24961 OF 2014**

Office Notice Office Memoranda of Coram Appearances, Court's Orders or directions and Registrar's orders	Court's or Judge's Orders
None present. <u>CORAM :- SHRI. S. R. AGRAWAL</u> <u>REGISTRAR (JUDL.-II)</u> Dated :- 08th August, 2023 The above numbered Civil Application is listed on the board of Registrar for three time for not taking steps against unserved Respondent Nos. 1A, 1B and 2 to 4. Learned Advocate for Applicant neither taken steps nor supplied proper and correct address of unserved Respondent Nos. 1A, 1B and 2 to 4. Already 06 weeks time was granted, however, despite granting 06 weeks time, the learned Advocate for the Appellant has not taken any steps against unserved Respondent Nos. 1A, 1B and 2 to 4 till date. 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 for 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 Respondent provided under Rules 1960 has been expired. 06 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 Respondent Nos. 1A, 1B and 2 to 4.

In turn, two weeks time is granted with directions to take steps against unserved Respondent Nos. 1A, 1B and 2 to 4. without fail. On failure, both Civil

Applications would stand dismissed against unserved Respondent Nos. 1A, 1B and 2 to 4., without further reference to the Court of Registrar.

Sd/-
Registrar (Judl.- II)