

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

MISC. CIVIL APPLICATION NO.51 OF 2019

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 : 22nd July, 2024 None Present. The above numbered Misc. Civil Application No.51 of 2019 is listed on board of Registrar for third time. Already four weeks time has been granted, however, despite granting four weeks time, Advocate for the Applicant has not taken any steps against unserved sole Respondent. Here reference to Chapter VII Rule 6 sub rule 1 and 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 forgoing	

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 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, 02 (two) weeks time is granted with directions to take steps against unserved sole Respondent, without fail. On failure, Misc. Civil Application would stand dismissed against unserved sole Respondent, without further reference to the Court of Registrar.

sd/-
Registrar (Judl. - II)