

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.777 OF 2002

| Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Court's or Judge's orders |
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| <p>CORAM : <u>S.R. AGRAWAL</u><br/><u>REGISTRAR (JUDL. - II)</u></p> <p>DATE : 06<sup>th</sup> February, 2024</p> <p>None Present.</p> <p>The above numbered Second Appeal is listed on the board of Registrar for third time. Already four weeks time has been granted, however, despite granting four weeks time, the Private Paper Book is not filed.</p> <p>The Hon'ble Court vide order dated 07/12/2011 has directed to file Private Paper Book. However, order was not complied. Thereafter again on 13/12/2023 and 04/01/2014, the learned Advocate sought time to file Private Paper Book within 04 weeks. However, till today, no compliance is made.</p> <p>Here reference to Chapter VII, Rule 10 Sub rule (iii) to (vi) of the Bombay High Court, Appellate Side Rules, 1960 [for short</p> |                           |

“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 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 Paper Book provided under Rules 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.

However, instead of passing order of dismissal outrightly, it would be just and

proper to give one more opportunity to file Private Paper Book.

In turn, two weeks time is granted with directions to file Private 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.

Likewise, the learned Advocate for the Appellant is directed to take appropriate steps against unserved respondent No. 1D.

sd/-  
Registrar (Judl. - II)

dsm