

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

FIRST APPEAL NO. 1863 OF 2009

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 : 21/10/2024

None Present

As per letter dated 12/03/2024 (kept at flag -"A") filed by Shri. Vijay Kisan Shedge, brother of the sole respondent, the sole respondent, namely, Sanjay Kisan Shedge is reported to be dead.

The above numbered First Appeal is listed for second time on the board of Registrar for taking steps to bring the legal representatives of deceased sole respondent on record. Already three weeks time was granted. However, despite of granting three weeks time, learned Advocate for the Appellant has not taken any steps for bringing the legal representatives of sole respondent on record.

In view of provisions under Chapter VII, Rule 6 (2) of the Bombay High Court, Appellate Side Rules, 1960, in cases where 90 days have elapsed from the reported death of any of the parties to the appeal and no action has been taken by the Appellant to bring the heirs of the deceased party on record the matter shall be placed before the Registrar for orders regarding the abatement of the appeal as against the

deceased party as soon as possible.

As such, the prescribed time to bring on record the legal representatives of deceased sole respondent as provided under Rules 1960 has been expired. 03 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 abatement outrightly, it would be just and proper to give one opportunity to take appropriate steps for bringing on record the legal representatives of deceased sole respondent, if any.

In turn, 02 weeks time (excluding Diwali Vacation) is granted with direction to take appropriate steps for bringing on record the legal representatives of deceased sole respondent, if any on record. On failure, proceeding would stand abated against deceased sole respondent without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)