

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

INTERIM APPLICATION NO. 12826 OF 2024
IN
FIRST APPEAL (STAMP) NO. 2845 OF 2022

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 : 04/10/2024

Adv. Aavesh Shetty i/by Adv. M.V. Kini and Co. Present
for the Applicant

The notice issued to sole respondent returned unserved. Therefore, the above numbered Interim Application is listed on the board of registrar for second time for taking steps for service of notice upon unserved sole respondent. However, learned advocate for appellant has neither taken any steps nor supplied proper and correct address of sole respondent.

In view of provisions under Chapter VII, Rule 6 (1) (e) of the Bombay High Court, Appellate Side Rules, 1960, 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.:

As such, the prescribed time to take steps for service of notice upon unserved sole respondent as provided under Rule 1960 has been expired. 02 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 more opportunity to take steps for service of notice upon unserved sole respondent.

In turn, two weeks time is granted with directions to take appropriate steps for service of notice upon unserved sole respondent without fail. On failure, Interim Application would stand dismissed against unserved sole respondent without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)

sat-R(J-II)-04.10.2024