

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

INTERIM APPLICATION NO. 485 OF 2024
IN
FIRST APPEAL (STAMP) NO. 31561 OF 2023

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 : 08/03/2024

Adv. P.S. Thakurdesai i/by Adv. D.S. Joshi present for the
Applicant

The above numbered Interim Application is listed for second time on the Board of Registrar for supplying copies. Already two weeks time was granted. However, despite of granting two weeks time, the Advocate for the Applicant has not supplied copies for issuing Notices to the Respondent Nos. 1 to 3.

Here reference to Chapter VII 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 2 (iii) matters to be dismissed for non-prosecution in case of default of payment of process fess and failure to supply copies – immediately after the expiry of the time prescribed in the foregoing sub-rules of this rule for the supply of copies, the Office shall place

before the Registrar all such matters in which the process fees have not been paid and/or the copies have not been supplied within the prescribed time, and the Registrar shall dismiss all such matters for failure to prosecute.

The prescribed time to supply copies provided under Rules, 1960 has been expired . 02 weeks time was granted, but all in vain. The matter is lying ideally without any progress as learned Advocate for the Applicant has not taken any steps. However, instead of passing order of dismissal outrightly, it would be just and proper to give one opportunity to supply the necessary copies.

In turn, two weeks time is granted with directions to supply necessary copies without fail. On failure, the Interim Application will stand dismissed against Respondent Nos. 1 to 3 without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)

sat-R(J-II)-08.03.2024