

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

INTERIM APPLICATION NO. 6728 OF 2024
IN
FIRST APPEAL (STAMP) NO. 34287 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 : 20/08/2024

None present

As per Bailiff's Report dated 18/04/2024,
Notice of respondent No. 1E is returned unserved with
remark "expired"

The above numbered Interim Application is
listed for second time on the board of Registrar for
taking steps to bring the legal representatives of
deceased respondent No. 1E on record. Already three
weeks time was granted. However, despite of granting
three weeks time, learned Advocate for the Applicant
has not taken any steps for bringing the legal
representatives of deceased respondent No. 1E 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 respondent No. 1E 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 respondent No. 1E, if any .

In turn, two weeks time is granted with direction to take appropriate steps for bringing on record the legal representatives of deceased respondent No. 1E, if any on record. On failure, proceeding would stand abated against deceased respondent No. 1E without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)