

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

FIRST APPEAL NO. 746 OF 2024  
ALONGWITH  
INTERIM APPLICATION NO. 8748 OF 2024  
IN  
FIRST APPEAL NO. 746 OF 2024

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Office Notes, Office Memoranda of Coram,  
appearance, Court's Orders or directions and  
Registrar's orders

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Court's or Judge's order

CORAM : SHRI S. R. AGRAWAL  
REGISTRAR (JUDL -II)

DATE : 21/11/2024

None Present

As per Bailiff's report dated 30/09/2024, the respondent No. 5 namely, Hanumant Ramdin Shukla is reported to be dead.

The above numbered First Appeal alongwith Interim Application is listed for second time on the board of Registrar for taking steps to bring the legal representatives of deceased respondent No. 5 on record. Already two weeks time was granted. However, despite of granting two weeks time, learned Advocate for the Applicant has not taken any steps for bringing the legal representatives of respondent No. 5 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. 5 as provided under Rules 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 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. 5, if any.

In turn, 02 weeks time is granted with direction to take appropriate steps for bringing on record the legal representatives of deceased respondent No. 5, if any on record. On failure, proceeding would stand abated against deceased respondent No. 5 without further reference to the Court of Registrar.

Sd/-  
REGISTRAR (JUDL-II)

sat-R(J-II)-21.11.2024