

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.162 OF 2004

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
CORAM : <u>S.R. AGRAWAL</u> <u>REGISTRAR (JUDL. - II)</u> DATE : 15th January, 2025 None present. The Hon'ble Court vide order dated 18.08.2011 passed in Civil Application No.782 of 2011 directed the Appellant to file private paper book. But the Appellant or his learned Advocate have not filed private paper book. Therefore, matter was listed on board of Registrar on 03.12.2024, 19.12.2024 and today. Thereupon, the Appellant was directed to file private paper book, as per the order of Hon'ble Court. As such, since 18.08.2011, the Appellant got ample time and opportunity to file the private paper book. But the Appellant failed to do so. In view of provisions under Chapter VII, Rule 10(iii), the Advocates/Parties are expected to supply to the office for the use of the Court two copies of the typed paper book containing the papers specified in Sub-rule (i) within 02 months of the order directing notice to issue or the order of the Court to the contrary.	

Rule 10(vi) further provides that, immediately after the expiry of the periods prescribed under Sub-rules (iii) and (iv) above for the supply of paper books, the office shall place before the Registrar all such matters if the paper books and the title sheets have not been supplied within the prescribed time, and the Registrar shall dismiss all such matters for failure to prosecute :

As such, prescribed time to file the paper book as provided under Bombay High Court, Appellate Side Rules, 1960 has been expired. 04 weeks time was granted, but all in vain. The matter is lying ideally without any progress due to non supply of private paper book. In the back drop, instead of passing order of dismissal outrightly, it would be just and proper to give one more opportunity to file the paper book.

In turn, 06 (six) weeks time is granted with directions to file the private paper book without fail and inform the Registry accordingly. On failure, Second Appeal would stand dismissed, without further reference to the Court of Registrar. No further extension will be granted.

sd/-
Registrar (Judl. - II)