

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

FIRST APPEAL NO. 349 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 : 10/01/2025

None Present

The above numbered First Appeal is listed for second time on the Board of Registrar for supplying copies and to deposit cost of printing charges. Already two weeks time was granted. However, despite of granting two weeks time, the Advocate for the Appellant has neither supplied copies for issuing Notices to respondent Nos. 1 to 3 nor deposited printing charges.

In view of provisions under Chapter VII, Rule 2 (iii) of the Bombay High Court Appellate Side Rules, 1960 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.

Likewise, in view of provisions under Chapter VII, Rule 11 (i) and (ii) of the Bombay High Court Appellate Side Rules, 1960 matters to be

dismissed for non-prosecution in case of default of payment of the costs of printing – Immediately after the expiry of the time prescribed in the foregoing sub-rules of this rule for the payment of costs of printing charges, the Office shall place before the Registrar all such matters in which the costs of printing charges have not been paid within the prescribed time, and the Registrar shall dismiss all such matters for failure to prosecute.

As such, the prescribed time to supply copies and payment of printing charges 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, as learned Advocate for the Appellant has not taken any steps. In such circumstances, instead of passing order of dismissal outrightly, it would be just and proper to give one opportunity to supply the necessary copies and deposit cost of printing charges.

In turn, learned advocate for the appellant is directed to supply necessary copies and deposit necessary printing charges within 02 weeks without fail. On failure, the First Appeal would stand dismissed without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)

sat-R(J-II)-10.01.2025