

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

FIRST APPEAL NO. 1869 OF 2024

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 : 10/03/2025

Adv. Niketan Nakhawa present for respondent nos. 1 to 4
and 6.

Respondent Nos. 5 namely Abdul Latif Haji
Shamsuddin Shaikh is reported to be dead vide Bailiff's
Report dated 13/03/2024.

The above numbered First Appeal is listed for
second time on the board of Registrar for taking steps to
bring the legal representatives of deceased respondent
Nos. 5 on record. Already two weeks time was granted.
However, despite of granting two weeks time, learned
Advocate for the Appellant has not taken any steps for
bringing the legal representatives of deceased
Respondent Nos. 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, learned advocate for the appellant is directed to take appropriate steps for bringing on record the legal representatives of deceased Respondent No. 5, if any on record within 10 weeks. On failure, proceeding would stand abated against deceased Respondent Nos. 5 without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)