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

INTERIM APPLICATION NO. 9746 OF 2024 A/W
INTERIM APPLICATION NO. 9747 OF 2024
IN
FIRST APPEAL (STAMP) NO. 34345 OF 2023

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

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

DATE : 24/01/2025

Adv Shubham Saraf i/by Adv. Pavan Patil present for Applicant.

The notices issued to respondent Nos. 2A and 2B are returned unserved. Therefore, the above numbered Interim Applications are listed on the board of registrar for second time for taking steps for service of notices upon unserved respondent Nos. 2A and 2B. However, learned advocate for appellant has neither taken any steps nor supplied proper and correct address of respondent Nos. 2A and 2B.

In view of provisions under Chapter VII, Rule 6 (1) (e) of the Bombay High Court, Appellate Side Rules, 1960, Immediately after the expiry of the period prescribed under the foregoing sub-rule of this rule <u>for taking the requisite steps for the issue of fresh notice</u> or or supplying postal stamps to cover the postal and registration charges, the

office shall place before the Registrar all such matters in which steps have not been taken for the issue of fresh notices or the postal stamps to cover the postal and registration charges have not been supplied within the prescribed time, and the Registrar shall dismiss the matter for failure to prosecute.:

As such, the prescribed time to take steps for service of notice upon unserved respondent Nos. 2A and 2B as provided under Rule 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 dismissal outrightly, it would be just and proper to give one opportunity to take steps for service of notice upon unserved respondent Nos. 2A and 2B.

In turn, learned advocate for the appellant is directed to take appropriate steps for service of notice upon unserved respondent Nos. 2A and 2B, within two weeks without fail. On failure, Interim Applications would stand dismissed against unserved respondent Nos. 2A and 2B without further reference to the Court of Registrar.

Await service of two weeks for respondent nos. 1, 3 and 5.

Sd/-
REGISTRAR (JUDL-II)

sat-R(J-II)-24.01.2025