

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

FIRST APPEAL NO. 316 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 : 09/10/2023

None present

The above numbered First Appeal is listed for third time on the Board of Registrar for supplying copy. Already four weeks time was granted. However, despite of granting four weeks time, the Advocate for the Appellant has not supplied copy for issuing Notice to the unserved Sole Respondent.

Here reference to Chapter VII of the Bombay High Court, Appellate Side Rules, 1960 [for short "Rules"] may be conveniently made. It states about Processes, Process fees, Printing charges, Security for costs and other procedure after admission etc.

In view of provisions under Chapter VII, Rule 2 (iii) 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.

The prescribed time to supply copy provided under Rules,1960 has been expired . 04 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. However, instead of passing order of dismissal outrightly, it would be just and proper to give one opportunity to supply the necessary copy.

In turn, two weeks time is granted with directions to supply necessary copy without fail. On failure, the First Appeal will stand dismissed against unserved Sole Respondent without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)

sat-R(J-II)-09.10.2023