

Sumedh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.759 OF 2023
WITH
INTERIM APPLICATION NO.15317 OF 2023**

Qureshi Iqbal A Kadar ... Appellant
V/s.
Pyramid Developers & Ors. ... Respondents

Mr. Abhishek L. Tripathi a/w. Adv. Bharat Tiwari for the
Appellant.

CORAM : KAMAL KHATA, J.

DATED : 17TH DECEMBER 2025.

P.C. :

1. The conduct of the Advocate for the Appellant demonstrates a clear disregard for the Orders of this Court.
2. Despite a specific SOP requiring filing of consolidated list of dates and events, written submission and supporting case law to streamline hearings and save judicial time, and despite having taken time to do so, the Advocate has failed to comply with the said requirement since 6th October 2025.
3. The Advocate argues that the submissions were delayed only by two weeks.
4. This submission is wholly untenable. Upon perusal of the

record, it is observed that on 6th October 2025 the Appellant was granted two weeks' time to comply with the SOP. The said period expired on 20th October 2025. The Advocate neither filed the written submissions within the stipulated period nor sought any extension of time from the Court, either before the expiry of the period or thereafter, until the matter was listed on 17th November 2025. On 17th November 2025 an extension of two weeks was sought and granted, although by then six weeks had already elapsed. Even today, that is four weeks thereafter (ten weeks since the order of 6th October 2025), there is no compliance with the Order, and yet an extension is sought.

5. Upon a perusal of the record, it is further evident that when the Advocate for the Appellant was confronted with imposition of costs for non-compliance with the orders of this Court, the Advocate insisted on arguing the matter without complying with the said requirement. He gave an impression by his arguments, that the SOP was unnecessary and had been thrust upon the Advocates. Such arguments and conduct of the Advocate, to say the least, is unacceptable especially having taken considerable time. The SOP was introduced to curtail lengthy and unchartered arguments advanced by Advocates. To argue that the SOP is unnecessary is wholly unwarranted. Even without considering the

merits of the matter, considerable judicial time is expended on such frivolous submissions. Given the present backlog of cases, such arguments are entirely unjustified.

6. It is further observed that the Advocate for the Appellant made no effort whatsoever to seek an extension from the Court for such continued non-compliance. This conduct clearly amounts to taking the Court for granted.

7. The Advocate then argues that the Appellant is unable to pay costs as the matter pertains to an SRA project. This submission too is wholly misconceived. The default is that of the Advocate and not the litigant.

8. Faced with this view of the Court he offered to pay ₹5,000/-, which the Court declined as such an amount is not a deterrent in the present day and age, particularly in the City of Mumbai where Advocates charge several thousand or even lakhs as fees for each appearance.

9. In view of the aforesaid conduct and attitude of the Advocate and for continued non-compliance with the Orders of this Court, and with a view to act as a deterrent against this pernicious practice of disobeying judicial directions, the Advocate for the Appellant shall pay costs of ₹50,000/- to the High Court Employees Medical Welfare Fund, at Mumbai, within a period of

one week from today.

10. The Bank Account details are as follows:

Account Name	Bank Name & Branch	Account No.	IFSC Code
The High Court Employees Medical Welfare Fund	Bank of India, Mumbai (Main) Branch	000120110001337	BKID0000001

11. Let the written submissions be filed in the Registry on or before 24th December 2025 subject to payment of costs by the Appellant.

12. The consequence of failure to pay the costs shall be considered by the Court on the next date.

13. List the matter on 8th January 2026 under the caption 'for compliance'.

(KAMAL KHATA, J.)