

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MATTERS NOTIFIED AT SERIAL NOS.1 to 86

ON THE BOARD DATED 9TH JUNE 2010

CAUSE TITLES AND APPEARANCES AS NOTIFIED

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CORAM : A.M.KHANWILKAR AND
A.A.SAYED, JJ.
DATED : JUNE 9, 2010.

P.C.

1. All these matters are listed with office objection(s). We propose to pass a common order in the following terms:

(A) In cases where Bhatta Charges are not paid so far, due to which notice(s) could not be issued, the Appellant(s)/Applicant(s) are directed to pay Bhatta Charges within ONE WEEK from today, failing which, the Appeal/Application shall stand dismissed for non-prosecution, without further reference to the Court. On payment of Bhatta Charges, Office to issue notice to be returnable on the notified date. In addition to Court notice, the Appellant(s)/Applicant(s) shall serve the unserved Respondent(s) by Advocate's notice, either personally or through speed post/e-mail/fax and file affidavit of service within EIGHT WEEKS from today, failing which, the Appeal/Application to stand dismissed for non-prosecution, without further reference to the Court.

(B) In cases where any of the Respondent(s) has/have not been served so far, for whatever reason, the Appellant(s)/Applicant(s) to take steps to serve the unserved Respondent(s) within EIGHT WEEKS from today by Advocate's notice, either personally or through Speed Post/e-mail/fax and to file affidavit of service before that date, failing which, concerned Appeal/Application to stand dismissed for non-

prosecution as against the unserved Respondent(s), without further reference to the Court.

(C) In cases where notices have not been issued by the office for whatever reason the returnable date in those cases is extended as notified hereunder. In addition to court notice, the Appellant(s)/Applicant(s) shall serve the concerned Respondent(s) by advocate's notice either personally or through speed post/e-mail/fax and file affidavit of service within EIGHT WEEKS from today, failing which the Appeal/Application to stand dismissed for non-prosecution, as against the unserved Respondent(s), without further reference to the Court.

(D) In case of any other office objection(s), the Appellant(s)/-Applicant(s) to take steps to remove the same within EIGHT WEEKS from today, failing which, the Appeal/Application to stand dismissed for non-prosecution, without further reference to the Court.

(E) In case of fresh matters, the Application or Appeal, as the case may, shall be listed on the 7th Court working day from the date of numbering consequent to removal of all office objections therein, if steps to remove office objections are taken within eight weeks as aforesaid. In case of other pre-admission matters, if conditional order is complied in time as aforesaid, the same will be listed under appropriate caption on the following dates:

Sr.Nos.	Returnable dates
1, 73-77, 79-82	05/08/2010
83-85	06/08/2010

(F) In matters at Sr. Nos. 2-15, it is also noted that the printed paper-book is not ready or filed. The requirement of printing of paper-book is dispensed with on condition that the Appellant(s) shall file Additional paper-book consisting of all the relevant pleadings, evidence and documents which were before the Lower Court and are likely to be relied upon by either side during the arguments. That be done within six weeks

from today, failing which the appeal shall stand dismissed for non-prosecution without further reference to the Court. As soon as the paper-book is filed, the Appeal be proceeded, provided, there is no other office objection, and it be included in the final hearing list as per its turn.

(G) In case of admitted or final hearing matters, the same shall proceed as per its turn in the following week as soon as the office objection is removed and or service report stating that all the unserved Respondents have been served is filed.

(H) Ad-interim order granted in any of the above said matters, if any, to continue till the respective assigned date.

Ordered accordingly.

(A.A..SAYED, J.)

(A.M.KHANWILKAR, J.)