

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.244 OF 2009

| Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders  | Court's or Judge's orders |
|---|---------------------------|
| <p style="text-align: center;">CORAM : <u>S.R. AGRAWAL</u><br/><u>REGISTRAR (JUDL. - II)</u></p> <p style="text-align: center;">DATE : 10<sup>th</sup> August, 2023</p> <p>Mrunmayee Khambate i/b. Vilas B. Tapkir for Appellant is Present.</p> <p>The above numbered Second Appeal is listed on the board of Registrar fourth time. Already, six weeks time has been granted, however, despite granting six weeks time, the Paper Book is not filed.</p> <p>As per Registrar (Judicial - II) Court order dated 15/06/2023 was pleased to direct to file proper Paper Book within 02 weeks. However, order was not complied. Thereafter again on 12/07/2023 and 26/07/2023, 08 weeks time is granted to file proper Paper Book. However, till today, no compliance is made.</p> <p>Here reference to Chapter VII, Rule 10 sub rule (iii) to (vi) of the Bombay High Court, Appellate Side Rules, 1960 (for short "Rules") may be conveniently made. It</p> |                           |

states about processes, process fees, printing charges, security for costs and other procedure after admission etc.

In view of provisions under Chapter VII, Rule 10(iii), the Advocates/Parties are expected to supply to the office for the use of the Court two copies of the typed paper book containing the papers specified in sub-rule (i) within 02 months of the order directing notice to issue or the order of the Court to the contrary.

Rule 10(vi) further provides that, immediately after the expiry of the periods prescribed under sub-rule (iii) and (iv) above for the supply of paper books, the office shall place before the Registrar all such matters if the paper books and the title sheets have not been supplied within the prescribed time, and the Registrar shall dismiss all such matters for failure to prosecute :

The prescribed time to file the paper book provided under Rule 1960 has been expired. 06 weeks time was granted, but all in vain. The matter is lying ideally without any progress due to non supply of paper book. However, instead of passing order of dismissal outrightly, it would be just and proper to give one opportunity to file the paper book.

In turn, four weeks time is granted with directions to file the paper book without fail. On failure, Second Appeal would stand dismissed, without further reference to the Court of Registrar. No further extension will be granted.

sd/-  
Registrar (Judl. - II)

dsm