

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

SECOND APPEAL NO.409 OF 2014

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> <u>REGISTRAR (JUDL. - II)</u></p> <p>DATE : 6<sup>th</sup> May, 2025</p> <p>None present.</p> <p>On 30/01/2023, the learned Advocate for the Appellants informed the Hon'ble Court that Respondent No.2 - Anubai Manglya Patil is reported to be dead. However, the office remark discloses that the learned Advocate for the Appellant has not taken any steps for bringing on record the legal representatives of deceased Respondent No.2.</p> <p>In view of provisions under Chapter VII, Rule 6 (2) of the Bombay High Court, Appellate Side Rules, 1960, in cases where 90 days have elapsed from the reported death of any of the parties to the appeal and no action has been taken by the Appellant to bring the heirs of the deceased party on record the matter shall be placed before the Registrar for orders regarding the abatement of the appeal as against the deceased party as soon as possible.</p>	

As such, the prescribed time to bring on record the legal representatives of deceased Respondent No.2 as provided under Rules 1960 has been expired. The matter is lying ideally without any progress due to not taken any steps. However, instead of passing order of abatement outrightly, it would be just and proper to give one more opportunity to take appropriate steps for bringing on record the legal representatives of deceased Respondent No.2, if any.

In turn, the learned Advocate for the Appellant is directed to take appropriate steps for bringing on record the legal representatives of deceased Respondent No.2, if any on record within 02 (two) weeks. On failure, proceeding would stand abated against deceased Respondent No.2 without further reference to the Court of Registrar.

sd/-  
Registrar (Judl. - II)

apj