

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.578 OF 2001

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
CORAM : <u>DR. M. S. DESHPANDE</u> <u>REGISTRAR (JUDL. - II)</u> DATE : 24th March, 2026 None present. The Respondent No. 1 - Malojirao Sadashiv Mogal is reported to be 'dead' vide Bailiff's report dated 15/12/2025. The above numbered Second Appeal is listed for second time on the board of Registrar for taking steps to bring the legal representatives of deceased Respondent No.1 on record. Already six (06) weeks time was granted. However, despite of granting six (06) weeks time, the learned Advocate for the Appellant has not taken any steps for bringing the legal representatives of Respondent No.1 on record. 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.

The prescribed time to bring on record the legal representatives of deceased Respondent No.1 as provided under Rules 1960 has been expired. Six (06) weeks time was granted, however all in vain. 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.1, 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.1, if any on record within six (06) weeks. On failure, proceeding would stand abated against deceased Respondent No.1 without further reference to the Court of Registrar.

sd/-
Registrar (Judl. - II)