

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.467 OF 2019

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
CORAM : <u>S.R. AGRAWAL</u> <u>REGISTRAR (JUDL. - II)</u> DATE : 31st January, 2023 Advocate Prathamesh Bhanuwanshe Present on behalf of Shri Sanjay P. Shinde, Advocate for Respondent No.5A to 5C, The above numbered Second Appeal is listed on the board of Registrar third time. Already four weeks time was granted, however, despite granting four weeks time, the Advocate for the Appellant has not taken any steps against unserved Respondent No.2 and 3 till date. Here reference to Chapter VII Rule 6 sub rule 1 and 2 of the Bombay High Court, Appellate Side Rules, 1960 (for short "Rules") may be conveniently made. It states about processes, process fees, printing charges, security of costs and other procedure after admission etc. In view of provisions under Chapter VII, Rule 6(1)(e), immediately after the expiry of the period prescribed under the forgoing sub-rule of this rule for taking the requisite steps for the issue of fresh notice or for supplying postal stamps to cover the postal and registration	

charges, the office shall place before the Registrar all such matters in which steps have not been taken for the issue of fresh Notices or the postal stamps to cover the postal and registration charges have not been supplied within the prescribed time, and the Registrar shall dismiss the matter for failure to prosecute :

The prescribed time to take steps against unserved Respondent No.1 provided under Rule 1960 has been expired. 04 weeks time was granted, but all in vain. The matter is lying ideally without any progress due to not taken any steps. However, instead of passing order of dismissal outrightly, it would be just and proper to give one opportunity to take steps against unserved Respondent No.2 and 3.

In turn, three weeks time is granted with directions to take steps against unserved Respondent No.3 and 4 without fail. On failure, Second Appeal would stand dismissed against unserved Respondent No.3 and 4, without further reference to the Court of Registrar.

sd/-
Registrar (Judl. - II)