

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.114 OF 2015

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 style="text-align: center;">DATE : 17th October, 2024</p> <p>None present.</p> <p>As per Bailiff's report dated 24/04/2024, Appellant No.3 - Dattatraya V. Bhanose is reported to be dead. The matter was placed on board of Registrar on 12/06/2024, 27/06/2024 and today. However, learned Advocate for the Appellant has not taken any steps for bringing on record the legal representative of the deceased Appellant No.3.</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, prescribed time to bring on record the heirs of the deceased Appellant No.3 as 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 want of any steps.

However, instead of passing order of abatement outrightly, it would be just and proper to give one more opportunity to take steps for bringing the legal representatives of deceased Appellant No. 3 on record.

In turn, 02 (two) weeks time (excluding Diwali Vacation) is granted with directions to take steps for bringing on record legal representative of deceased Appellant No. 3 without fail. On failure, proceeding would stand abated against deceased Appellant No.3 - Dattatraya V. Bhanose, without further reference to the Court of Registrar.

sd/-

Registrar (Judl. - II)

amr