

FARAD CONTINUATION SHEET NO.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE**

District : Mumbai

CIVIL REVISION APPLICATION NO. 524 OF 2025

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
CORAM :- DR. M. S. DESHPANDE REGISTRAR (JUDL.-II) DATE : 6th May, 2026 None present As per Bailiff's report dated 18/03/2026, Respondent Nos. 5,13 and 22 are reported dead. The matter was placed on board of Registrar for second time. However, learned Advocate for the Appellant has not taken steps for bringing on record the legal representatives of the deceased Respondent Nos. 5,13 and 22. 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 legal representatives 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.

As such, prescribed time to bring on record the heirs of the deceased respondents, as provided under Rule 1960 has been expired. 04 weeks time was granted, but all in vain. The matter is lying idle without any progress for want of 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 Respondents on record.

In turn, two (02) weeks time (excluding summer vacation) is granted with directions to take steps for bringing on record legal representatives of deceased Respondents without fail. On failure, proceeding would stand abated against deceased Respondent Nos .5, 13 and 22 without further reference to the Court of Registrar.

In addition to this, the notice of respondent nos 4,6,7,9,11, 12(a), 12(b) and 18 are returned unserved. Therefore, above numbered Civil Application is listed on the board of Registrar for second time. Already two (02) weeks time has been granted, however, despite granting two (02) weeks time, the Advocate for the Applicant has not taken steps for service of notice against unserved Respondents.

In view of provisions under Chapter VII, Rule 6 (1) (e), Immediately after the expiry of the period prescribed under the foregoing 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.

As such, prescribed time to take steps against unserved Respondents as provided under Rules 1960 has been expired. Two (02) weeks time was granted, but all in vain. The matter is lying idle without any progress for want of steps.

However, instead of passing order of dismissal outrightly, it would be just and proper to give one more opportunity to take steps against unserved Respondents.

In turn, two (02) weeks time (excluding summer vacation) is granted with directions to take steps for service of notice against unserved Respondents without fail. On failure, proceeding would stand dismissed against unserved Respondent Nos. 4,6,7,9,11, 12(a), 12(b) and 18 without further reference to the Court of Registrar.

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Registrar (Judl.-II)

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