

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

10

INTERIM APPLICATION NO. 268 OF 2019
IN
FIRST APPEAL NO. 1614 OF 2025

Office Notes, Office Memoranda of Coram,
appearance, Court's Orders or directions and
Registrar's orders

Court's or Judge's order

CORAM : SHRI. S.R. AGRAWAL
REGISTRAR (JUDL -II)

DATE : 07/05/2026

None Present

The respondent No. 2- Shri. Shivdas Pandurang Gharat and respondent No. 4- Shri. Nilkant Pandurang Gharat are reported to be dead.

The above numbered Interim Application is listed for second time on the board of Registrar for taking steps to bring the legal representatives of deceased respondent Nos. 2 and 4 on record. Already six weeks time was granted. However, despite of granting six weeks time, learned Advocate for the Appellant has not taken any steps for bringing the legal representatives of respondent Nos. 2 and 4 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.

As such, the prescribed time to bring on record the legal representatives of deceased respondent Nos. 2 and 4 as provided under Rules 1960 has been expired. 06 weeks time was granted, but all in vain. The matter is lying idle without any progress for want of taking steps. However, instead of passing order of abatement outrightly, it would be just and proper to give one opportunity to take appropriate steps for bringing on record the legal representatives of deceased respondent Nos. 2 and 4, if any.

In turn, the learned advocate for the applicant is directed to take appropriate steps for bringing on record the legal representatives of deceased respondent Nos. 2 and 4, if any on record within 06 weeks. On failure, proceeding would stand abated against deceased respondent Nos. 2 and 4 without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)

sat-R(J-II)-07.05.2026