

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

11

INTERIM APPLICATION NO. 1436 OF 2019
IN
FIRST APPEAL NO. 1071 OF 2016

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

Court's or Judge's order

CORAM : DR. M.S. DESHPANDE
REGISTRAR (JUDL -II)

DATE : 06/05/2026

Adv. Kavita Mungse i/by Adv. Kavita Mungse present for
the Applicant

The respondent No. 2/b/a is reported to be
dead vide Bailiff's report dated 22/12/2025.

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 No. 2/b/a on record. Already six
weeks time was granted. However, despite of granting
six weeks time, learned Advocate for the Applicant has
not taken any steps for bringing the legal
representatives of respondent No. 2/b/a 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 No. 2/b/a as provided under Rules 1960 has been expired. 06 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 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 No. 2/b/a, 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 No. 2/b/a, if any on record within 06 weeks. On failure, proceeding would stand abated against deceased respondent No. 2/b/a without further reference to the Court of Registrar.

Sd/-
REGISTRAR (JUDL-II)