

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B.Civil Misc. Appeal No. 2230 / 2016

State Of Raj. Through Executive Engg.

----Appellant

Versus

M/S Singh And Associates

----Respondent

For Appellant(s) : Mr. N.A. Rajpurohit

HON'BLE MR. JUSTICE DEEPAK MAHESHWARI

Judgment / Order

24/03/2017

Learned counsel for the appellant/s appears to have not taken proper steps for removal of defects. Last opportunity is granted to remove the defects within a period of six weeks from today positively, failing which following consequences will follow.

If reply to any particular defect has to be filed and the same is required to be overruled by the court, learned counsel may file appropriate application raising his contention within six weeks positively, failing which natural consequences will follow.

In case notices are awaited, received unserved, not filed or Dasti notices not taken by counsel, fresh notices with complete and correct address be filed in two sets within six weeks failing which the appeal/application qua unserved respondent shall stand dismissed without reference to Court. If notices are so filed, one set be given

'Dasti' to learned counsel for the appellant/s for effecting direct service upon the respondent/s through regd. Post. Other set will be sent through ordinary course. Rule be made returnable within four weeks.

If fresh address is not available, appropriate application be moved along with fresh address within six weeks failing which the appeal shall stand dismissed without reference to the court qua the respondent whose service is incomplete for want of fresh address.

If deficit court fees has been paid or no court fees has been paid, on filing the required court fees within six weeks from today along with application under section 149 of C.P.C., such application may be listed before court for appropriate orders. For failure of compliance, the appeal shall stand dismissed automatically.

After removing the defects, if the case is barred by limitation, an application under section 5 of the Limitation Act be filed by the learned counsel within six weeks from today positively along with notices in two sets, failing which the appeal shall stand dismissed.

On compliance made, Office to issue one set of notice of the same returnable within a period of four weeks. Other set be given 'Dasti' to learned counsel for the appellant/s for effecting direct service upon the respondent/s.

In case service is complete on application under section 5 of Limitation Act, put up after two weeks.

If any application for dispensing with the filing of compensation certificate has been filed by the applicant, the same may be listed before Court after two weeks.

If no steps are taken by learned counsel within six weeks from today for taking the LR's of the deceased party on record including filing of P.F. and Notices, the appeal shall automatically stand dismissed/abated without reference to the court qua such party.

Put up after eight weeks along with complete report, if compliance is made by the concerned as mentioned above.

(DEEPAK MAHESHWARI), J.

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