

CHAPTER XII

PROCEDURE IN CASES OF DEFAULT

1.Registrar's power to dismiss for default.— Where no action has been taken by the party or the Advocate within the time prescribed by these rules the office shall forthwith place the matter before the Registrar and, except as otherwise provided for in these rules, the Registrar shall dismiss the matter for default:

Registrar's powers to condone delay where there is default. — Provided, however, that, if the party or the Advocate takes the necessary action within a period of 14 days next after the expiry of the period prescribed by the rules for the purpose and also makes a regular application with the necessary court-fee stamp for excusing the delay, the Registrar may excuse the delay and direct that the matter be proceeded with further.

2. Procedure for revision of Registrar's order of dismissal for default. — Notwithstanding anything contained in Rule 7 of Chapter II an order of the Registrar dismissing a matter for default under the preceding rule shall be revisable only upon a regular stamped application which shall be filed within seven days from the date of the order of the Registrar complained of, provided that the Court may, for good cause shown, condone the delay in making the application. Such application shall, unless dispensed with by the Court, be supported by an affidavit explaining the circumstances under which the action could not be taken within the prescribed time.

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