

COURT OF APPEAL

McMURDO P

Appeal No 9101 of 2002

FARZAD NOORAVI and HOMA NOORAVI

Respondents/Plaintiffs

and

MAYTREND PTY LTD

Appellant/Defendant

BRISBANE

..DATE 21/02/2003

ORDER

THE PRESIDENT: Similarly, in this case there has been delay on the part of the appellant. The appeal was filed on the 4th of October 2002. There was delay in filing the undertaking about the record book. Delay in filing the appellant's outline. The settled index was due on the 12th of December, and has not been received despite a reminder letter sent in early January. So both the settled index book and the record book are overdue.

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In this case, I also order that the settled index be filed and served within seven days, and the record book filed and served within 14 days of the filing of the settled index. In the event of non-compliance with those orders, the matter is to be listed before me at a date to be fixed by the Registrar for the appellant to show cause why the appeal not be struck out for want of prosecution. I order the appellant pay the respondent's costs of and incidental to this mention.

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