

In the Court of District Judge-III, Begusarai

Present: Brajesh Kumar Singh

✓ 8.T.5 Case No-05/2009

Order
07.08.2025

Present: Arun Kumar Singh-Ld. Counsel for the plaintiff
None for D-1
Vinay Ranjan- Ld. Counsel for D-2

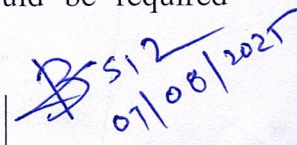
1. Today, this case is fixed for leading D-1's evidence, however, D-1 is absent, even his counsel is also absent. As submitted by Id. Counsel for other parties that D-1 and his counsel are present in the campus, but they are deliberately avoiding appearance in the court. Nevertheless, an application dated 07.08.2025 for recusal is filed. Though, the application is filed, none is there to press for the application, hence, the application is hereby dismissed. D-1 and his advocate are not interested in the proceedings of this case. They are doing everything to delay the outcome of the suit. D-1 has wasted the following crucial dates;

- (a) proceedings of dated 03.07.2025
- (b) proceedings of dated 14.07.2025
- (c) proceedings of dated 21.07.2025
- (d) proceedings of dated 28.07.2025
- (e) proceedings of today i.e. 07.08.2025

2. Vide order dated 03.07.2025, two months' time was granted to all defendants, but this defendant no-01 himself has wasted five (5) crucial dates. In the interest of justice, one more date, which shall be construed as the last date, i.e. on 11.08.2025, is being granted to the D-1 to lead his evidence, failing which his right shall be forfeited, and also cost may be imposed, if he fails to lead evidence, because he has already wasted five (5) dates.

3. This case is 17 years old. As per Hon'ble High Court, Patna, every judicial officer is mandated to dispose the old cases on priority basis. In the court of ADJ-III, this is one of the oldest cases. Therefore, in view of Hon'ble High Court's dictates, parties are directed to co-operate in the conduct of trial to adjudicate this case by the end of 2025 itself.

4. Put up this case on 11.08.2025 for the D-1's evidence. It is clarified that dated 11.08.2025 would be the last opportunity for D-1, and if he fails, his right to lead D.E would be forfeited once for all, and D-2 would be required to lead his respective evidence.


District Judge-III, Begusarai