

IN THE COURT OF ZUBAIR AHMED
MUNSIF, BALLIA, BEGUSARAI

Title Suit No. 67 of 2006
Registration No. 67 of 2006

Monti Kumar and Others-----Plaintiff
versus
Jagdeo Mahton and Others-----Defendants

Date	Order with initials of the Munsif	Remarks
<u>30.06.2026</u>	Case called out. The plaintiff and his Ld. Counsel are absent. Today the record has been placed before me for hearing. The present suit was instituted by the plaintiff upon payment of requisite court fees and was fixed for hearing on several dates. Plaintiff has been repeatedly absent when the matter was called on for hearing. Despite sufficient opportunities being granted, the plaintiff has failed to appear before this Court and has also not taken any effective steps for the prosecution of the suit. Today, when the matter is called on for hearing, neither the plaintiff nor any authorized representative appears. Perused the record. Upon Perusal, it appears that since 06.10.2018, the case was posted exclusively for hearing in this suit. However, the Plaintiff has not been doing proper <i>pairvi</i>. Thereafter, last chance was given to plaintiff vide order dated 03.06.2026. Lastly a final last chance was given to the Plaintiff vide Order dated 19.06.2026 to be physically present on 30.06.2026 for hearing or do proper parvi. Even today on repeated calls neither the Plaintiff nor his learned counsel has turned up. It appears that the plaintiff is no longer interested in prosecuting the present suit. The continuous and prolonged absence of the plaintiff since 10.09.2025 clearly indicates lack of diligence in pursuing the matter. In view of the above, and considering the provisions of Order IX Rule 3 of the Code of Civil Procedure, 1908, which provides for	

IN THE COURT OF ZUBAIR AHMED, MUNSIF, BALLIA, BEGUSARAI

Title Suit No. 67 of 2006

Registration No. 67 of 2006

Monti Kumar and Others Versus Jagdeo Mahton and Others

CNR No. BRBE320000082006

Date: 30.06.2026

dismissal of a suit where neither party appears when the suit is called on for hearing, this Court is left with no option but to dismiss the suit.

ORDER

- In the given facts and circumstances, this Court is of the view that due to lack of proper *pairvi* and supporting evidence, there is no sufficient ground for proceeding with the case.
- Accordingly, the suit is hereby ***dismissed*** for default under ***Order IX Rule 3*** of the Code of Civil Procedure, 1908.
- No order as to cost.
- Office clerk is directed to deposit the case record in the record room according to the provisions and upload the order on C.I.S.

(Dictated)

Sd/-

**Zubair Ahmed
Civil Judge (Jr. Div.)
Ballia, Begusarai**

Date of order/Judgement	30.06.2026
Date or reserving order	NA
Date of Uploading	01.07.2026
Uploaded by	Gunjan Kumar (Stenographer)