

In the Court of Civil Judge (Sr. Div.)-I, Kahalgaon, Bhagalpur
Present- (Akhilesh Kumar)

Title Suit No. 58 of 2023

Shiv Shankar Jha & One Other.....Plaintiffs

Versus

Nawal Kishore Jha & Others.....Defendants

ORDER

Dated: 18-03-2026

Plaintiffs are absent. Attendance of behalf of defendant No. 8,9 & 13 has been filed through their Ld. Counsel. Case called out. On call, Ld. Counsel for the defendant No. 8,9,& 13 have appeared before the court. Case record has been produced. Perused the record. It has been submitted on behalf of appeared defendants that, the plaintiffs have filed this case with concealment of some facts and previous case pending between plaintiffs and defendants. It has been submitted that, when the contesting defendants 8, 9 & intervenor, the defendant No. 13 have appeared then the plaintiffs have left their pairvi since they have no interest to proceed further with this case because after appearance of these defendants they may not succeed in this case which has been filed by them with concealment of material facts.

On perusal of record, it appears that the plaintiffs have left their pairvi from 18-08-2025. On 15-12-2025, the plaintiffs have directed to take necessary steps for appearance of non appeared defendants. On 24-02-2026, last chance was given to the plaintiff. It appears from the perusal of record and conduct of the plaintiff that, the plaintiffs have no interest to proceed further in this case. Under the above facts and circumstances, when the plaintiffs themselves kept them absent in this case, there is no reason to kept this case pending further.

Therefore, I am of opinion that this case should be dismissed for default on account of plaintiff by non compliance of order dated 15-12-2025 and also for their absence. This suit is accordingly dismissed for default and disposed off.

Continued

18.03.2026

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O.C. is directed to consign the record in record room as per prevailing rules.

Dictated

Akhilesh Kumar

(Akhilesh Kumar)
Civil Judge(Sr. Div.)-I,
Kahalgaon, Bhagalpur