

In The Court of Civil Judge Jr. Div., Jagdishpur (Bhojpur)

Final Decree Case No 02/2019

Net No. 02/2019

Sumitra Kunwar .....Decree holder/Plaintiff

Vs.

Durgawati Devi & Others .....Judgment Debtor/Defendants

Date of order or Proceeding	Order with initials of Munsif.	Office action taken with
10.03.2026	<p>Decree-holder is not on attendance. Opposite party are not on attendance. The record is for hearing on substitution petition. The matter is called out. Neither parties nor their Learned Counsels appeared. The Decree-holder/plaintiffs are also absent since 09.02.24.</p> <p>The record reflects that the case was fixed for hearing on substitution petition since 12.09.23 <b>and also left pairvi since</b> 09.02.24. Despite repeated directions given by this Court to the decreeholder/Plaintiff(s) to do proper <i>pairvi</i> (prosecution) and remain present for hearing, neither the decree holders nor their Ld. Counsel appeared today.</p> <p>Upon perusal of the record, it is evident that the decree holders have remained absent on various previous dates. The Court had previously granted a <b>last chance on dated 19.02.26</b> to the decree holders to proceed with the matter, but they have failed to appear for further proceeding. Furthermore, it is noted that both the parties ceased proper <i>pairvi</i> of the case since <b>so many dates</b>.</p> <p>As the decree holders is the master of the case, the onus lies upon them to proceed with the hearing of the substitution petition and ensure the necessary steps for the litigation's advancement are taken. Under these circumstances, the Court is led to conclude that the decree holders is having <b>no interest</b> in pursuing the instant case and has failed to prosecute the suit with due diligence.</p> <p>In light of the Plaintiffs' persistent default in appearance and failure to prosecute the suit, the instant case is hereby <b>DISMISSED IN DEFAULT</b> for non-prosecution.</p> <p>Office Clerk is directed to deposit the record in the record room within stipulated period as per law.</p>	<p>10.3.26</p>

*Chander Kumar*  
Civil Judge (Jr. Div)

Jagdishpur, Bhojpur.

