

MHSN150034632020



(Bank of India Branch: Shalgaon
V/s.
Mahadev Manohar Shinde-3)

ORDER BELOW EXHIBIT 1 IN
SPECIAL CIVIL SUIT No.800/2020
{OLD SPECIAL CIVIL SUIT No.902/2020}

1. The plaintiff and advocate Adv. A. S. Gunde are absent, when called repeatedly. Vide order dated 04/03/2022 below Exhibit 1, the hearing was directed to be heard ex-parte against defendant No.1. As well as, vide order dated 30/11/2023 below Exhibit 1, the hearing was directed to be proceeded without defendant No.2 to 4's written-statement. Since then, the matter is pending for the evidence of plaintiff.

2. Thereafter, on 04/09/2023 the plaintiff has filed application at Exhibit 13 for amendment in plaint. However, the plaintiff remained absent and failed to argue on Exhibit 13, therefore, on 16/07/2024 said application is filed.

3. The matter is adjourned for leading the evidence of the plaintiff and to take appropriate steps since long and despite sufficient opportunities given, the plaintiff failed to lead his evidence or to take

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appropriate steps. Therefore, vide order dated 15/11/2024 the matter is fixed for dismissal order. However, the plaintiff failed to lead his evidence or take appropriate steps, though the matter is kept for dismissal order. In view of continuous absence of the plaintiff and no application being filed for extension of time, no reason to adjourn further. The presence of the plaintiff is essential for the evidence to proceed further with the matter. The aforesaid conduct of the plaintiff shows that, the plaintiff is not interested to proceed with the matter and has lost interest. Therefore, the suit stands dismissed in default for want of prosecution and accordingly disposed of.

Vita.

Date: 21/03/2025

(Dnyaneshwar S. Patale)

Jt. Civil Judge Senior Division, Vita.

I affirm that, the contents of this P.D.F. file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer : S. P. Pethkar.

Court : Jt. Civil Judge Senior Division, Vita.

Judgment/Order signed by
the Presiding Officer on : 21/03/2025.

Judgment/Order uploaded on : 24/03/2025.