

MHPU020051392014



Spl.C.S./201370/2014

Rajkumari Suniel Mutha etc 1 . Vijay Tukaram Raundal

Order below Exh. 1

Perused the record. It appears that third parties namely Bharat Agrawal(vide exh. 34) and another parties namely Siddharth Mutha and Samra Siddharth Mutha through her legal guardian mother namely Niyati Mutha(vide exh. 40) were made party plaintiffs in the instant suit. Subsequently plaintiffs have filed an application exh. 47 thereby praying to delete the names of defendant no. 2 and 5 from the suit and also to delete the area of 2H. 24R from the suit property. However, the said application was filed for want of compliance by plaintiffs. Matter was again fixed for the stage before filing of application exh. 34. Record shows that before filing of application exh. 34, matter was fixed for dismissal order as plaintiffs did not lead any evidence in support of issues framed. Today also the plaintiffs are absent. Reasons for absence of plaintiffs is not disclosed. Advocate for the plaintiffs is also absent. Matter is fixed for dismissal order since 20-09-2019. Considering the conduct of the plaintiff, it appears that the plaintiffs are not at all interested in proceeding with the instant suit. They are not leading evidence in the matter despite of ample opportunities. I do not find any good reason to adjourn the matter any further on similar stage. Thus, the following order.

ORDER

1. Proceedings in Spl. C.S. 1370/2014 stands disposed as dismissed in default of plaintiff to lead evidence under Order XVII Rule 2 r/w Order IX Rule 3 CPC.
2. Case papers be filed.

Date : 14-10-2019

SMT. S. G. AGRAWAL
6 TH ADDL. JUDGE
SMALL CAUSES COURT PUNE

CERTIFICATE

I affirm that the contents of this PDF file are same word to word as per original order/judgment.

Name of steno	:	H.L.Kenge
Name of Court	:	Smt.S.G.Agrawal, VI Addl. Judge, Small Causes Court & CJSD, Pune.
Dictation Date	:	14-10-2019
Transcription date	:	14-10-2019
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