

R.C.S. No. 1403/2001
M/s. Aswani Builders V/s.
N. R. Puri

ORDER BELOW EXH. 116.

Perused the record it appears that, the plaintiff has filed the present suit for declaration and injunction in the year 2001. It is pertinent to note that, the present matter is almost 25 years old and pending for evidence of the plaintiff. It is pertinent to note that, there are directions of Hon'ble Bombay High Court for expeditious disposal of 20 years old matter as per the Action Plan. In the present matter on last date the on behalf plaintiff adjournment was sought on the ground that, partner of the plaintiff company Mr. Lal Aswani is expired and his death certificate is yet not obtained. Hence, to take appropriate steps time was given as per order given below Exh. 115. However, again today on behalf of plaintiff application is filed on the same ground that, they have not obtained death certificate of deceased Lal Aswani.

2. It is pertinent to note that, the case is 25 years old. In spite of grant of time the plaintiff has not placed on record any document about what steps he has taken to obtain death certificate of deceased Lal Aswani. Without any supporting document again two weeks time is sought. Therefore, considering the principles of natural justice as of last chance one week time is granted to the plaintiff.

Date : 04.02.2026

(S. B. Patil)
5th Jt. Civil Judge S. D. Thane