

26	<u>Dt:11.12.2024</u> <u>SU 2248/22</u> Exh. 2	<u>CORAM : H.H.J. SHRI S.H. SALUNKHE (C.R. No. 04)</u> None present for plaintiff. Advocate Sujata Puri for defendant/BMC present and tendered pursis Exh.2 Shri. Abhijeet Ambekar, Senior Engineer, Roads M East ward for MCGM present. <u>Order below Exh. 1</u> 1. Today matter is listed for dismissal of NM as well as suit. The suit is of year 2022 and pending for hearing of NM as well service of writ of summons. However roznama shows that since many dates neither plaintiff nor his Adv remains present. Hence 06.12.2024 matter adjourned and kept today for dismissal of suit but inspite of that none present for plaintiff. 2. Adv for deft/BMC filed puris below Exh.2 stating that The Corporation has withdrawn the impugned notice and therefore suit is became infructuous. Thus considering the pursis alongwith the photocopies of letter of executive Engineer and Assistant Engineer, M East. It appears that BMC has withdrawn impugned notice and suit has became infructuous. Further the plaintiff has not taken steps to serve writ of summons and or to proceed with the Notice of Motion. Hence I pass following order. <u>ORDER</u> 1. Suit is dismissed for want of prosecution. 2. In view of dismissal of suit pending Notice of Motion/Chamber summons is disposed of accordingly. Judge
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