

Order Below Exh 5 in R.C.S No.310/2012

Present application is filed under Order 39 Rule 1 of Code of Civil Procedure. The present application is filed by the plaintiff and is pending for hearing since 10/12/2015. Order sheet of the case reflects that, since long neither the plaintiff nor his Ld. Counsel appeared before the Court. Today also inspite of repeatedly called out, no one turn up before the Court till 5:00 p.m. It seems that, the plaintiff is not having urgency for getting order of temporary injunction in his favour. It also reveals that, he is not interested to proceed with the application. Under such circumstances, no fruitful purpose will be served by keeping this application pending for hearing. Hence, I am inclined to pass following order.

Order

- 1) The application is filed.
- 2) The plaintiff is at liberty to file a fresh application under Order 39 Rule 1 of C.P.C, if circumstances warrants so.

Sd/-

Date:-22/03/2016.

(Smt. A.T.Shete)
3rd Jt. C.J.J.D, Vaijapur.

CERTIFICATE

I affirm that the contents of this [P.D.F.](#) file order are same, word to word, as per the original order.

Name of the Stenographer : Smt. H.B. Baig

Court : 3rd Court, Vaijapur.

Date : 22-03-2016

Order signed by the
presiding officer on : 22 -03-2016

Order uploaded on : 23-03-2016