

MHAU060003562014



**ORDER PASSED BELOW EXH.57 IN R.C.S. No.48/2014**  
**Shivaji & other Vs. Sopan & other**

1. Present Pursis has filed by plaintiff No.2 thereby contended that, she does not wants to proceed with present suit. The plaintiff has also filed Pursis at Exh.59 with due identification of advocate regarding deleting her name.

2. It is necessary to consider that, as per Order 23 Rule (1)(5) of Civil Procedure Code, court cannot permit one of the plaintiff to abandon a suit or part of claim or withdraw in the suit or part of claim without the consent of other plaintiffs. Admittedly, the plaintiff Nos.1 and 3 have not consented to plaintiff No.2 from withdrawing present suit. Therefore, in view of this provision the present pursis of plaintiff No.2 cannot be accepted.

Date : 03-12-2019.

**( Pankaj K. Ahir )**  
Civil Judge, Jr.Divn., Kannad.  
Dist. Aurangabad

**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 : A.V. Chopade,  
Court : C.J.J.D., Kannad.  
Date : 03.12.2019,  
Order signed by the  
presiding officer on : 07.12.2019,  
Order uploaded on : 07.12.2019.

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