

CNR-No-MH-BI 050003832022

ORDER BELOW EXH. 1 IN SPECIAL CIVIL SUIT NO. 20/2022

01. Perused the record and roznama and withdrawal pursis at Exh.101. Today the plaintiffs and their Counsel **Shri. M.M.Patki** are present before the Court. The plaintiffs admitted the contents of the withdrawal pursis at Exh. 101 and their signatures thereon. Hence the withdrawal pursis at Exh. 101 has been read and recorded. As per the pursis at Exh. 101 the plaintiffs want to withdraw the suit unconditionally. Hence in view of Order XXIII Rule 1 and 2 of Code of Civil Procedure there is no legal hurdle to allow the plaintiffs to withdraw the suit. The defendant No. 1 to 11 have given no objection to withdraw the suit, whereas other defendants are failed to oppose the withdrawal in spite of sufficient opportunity. It is well settled proposition of law that the plaintiffs are dominus litas of their own suit. Therefore plaintiffs cannot be compelled to proceed with suit. Moreover it appears from the pursis that plaintiffs are withdrawing the suit unconditionally. At the costs of repetition it is submitted that none of the defendants opposed the pray of the plaintiffs for withdrawal of the suit. Suit is at initial stage. Therefore in such circumstances I do not think fit to impose any costs on the plaintiffs while allowing to withdraw the suit. Therefore I proceed to pass the following order.

-: ORDER :-

- 1 In view of withdrawal pursis (Exh. 101) the suit is disposed off as withdrawn.
- 2 No order as to costs.
- 3 Bill of costs be prepared accordingly.

Date:-22/04/2026

(M.B.Sontakke)
2nd Jt. Civil Judge (S.D.),
Ambajogai.