

**ORDER BELOW EXH.01**

The suit was instituted for a decree of declaration that, the plaintiffs are owner and possessor of suit land Gat No.339 admeasuring 15 Acre and 16½ Guntha situated at village Patrud, Tq. Majalgaon, Dist. Beed, more particularly as described in paragraph No.2 of plaint (Exh.1). They have also sought relief for recovery of possession of suit land by carrying out its measurement through defendant No.13 i.e. Deputy Superintendent of Land Record, Majalgaon.

2. It seems that, the suit is contested by defendant Nos.1 to 12 by filing written statements at Exhs.22, 28 and 25 respectively read with adoption pursis of defendant No.7 filed at Exh.94. The issues have been framed on 17/12/2016 vide Exh.81. It is matter of record, the sole plaintiff, defendant No.9 and defendant No.11 have died during pendency of suit and their respective legal representatives/heirs are brought on record. An affidavit of deceased plaintiff namely Manmohan S/o. Murlidhar Mandhane filed in lieu of examination-in-chief and additional affidavit to that effect are available on record at Exh.95 and those have been struck-out from the record on 10/04/2026.

3. The case is more than 14 years old. As per roznama, its fixed for evidence of the plaintiff part-heard and making compliance of orders passed below Exhs.122 and 125 since long. Roznama shows that, the plaintiffs have neither taken effective steps nor filed an application for adjournment to that effect, meantime. On account of inaction on the part of plaintiffs, the suit was ordered to be kept for dismissal-in-default vide order passed below plaint Exh.1 on last date

i.e. on 10/04/2026. The plaintiffs' learned advocate had orally submitted on said date to pass an appropriate order in the matter, as mentioned in the said order. Today also nobody present on behalf of the parties, when called out repeatedly till 2.00 p.m. These circumstances shows that, the plaintiffs are not interested to proceed with the matter. Mere keeping the case pending will not suffice the purpose. Hence, the suit be dismissed in default vide Order-IX, Rule-3 of the Code of Civil Procedure, 1908. The parties shall bear their own costs.

Date :- 17/04/2026.

(S. S. Budruk)
Civil Judge Senior Division,
Majalgaon.

CERTIFICATE

The contents of above order is/are word to word same and found correct in this pdf.

Dictated on : 17/04/2026.
Typed on : 17/04/2026.
uploaded on : 17/04/2026.

Sd/-
(H.B.Suryawanshi)
Steno-Gr.II
C.J.S.D.Majalgaon.