

MHBI110008162018



**Order below Exh. 1**  
**in R.C.S.No.238/2018**

Perusal of record shows that, Report of service of summons to defendant no. 14 returned unserved on 20.06.2025. Thereafter since 20.06.2025 plaintiff has failed to take any steps in respect of unserved defendant. Today also Ld.Advocate for plaintiff as well as plaintiff are absent when called repeatedly.

2. Since summons are not served to defendant no. 14 and plaintiff has failed to issue fresh summons within period of two months as per order IX rule 5 of CPC, the suit could have been dismissed against them. Hence, in view of Order 9 rule 5 of CPC., suit is dismissed against defendant no.14. Ld. Advocate for plaintiff Mr. P.A. Madake shall take note.

Dt. 10/10/2025

**(S.H.Patil)**  
**Jt. C.J.J.D.Georai**

## **CERTIFICATE**

I affirm that the contents of this P. D. F. file are same, word to word, as per the original Judgment/Order.

Dictated on :- 10.10.2025  
Transcribed on :- 10.10.2025  
Checked & Signed on :- 10.10.2025

Sd/-  
(P.B. Kusumkar)  
Stenographer G-3, Georai.