

**R.C.S. No.14/2016**  
**Gajanan Maharaj Sansthan**  
**-Vs-**  
**Amar Sharma**

**ORDER BELOW EXH.277**

[Passed on 24.02.2026]

1. This is an application filed by Ld. Counsel for the defendant to grant of time to conduct the hearing on the application filed under section Order 7 Rule 11 of CPC. Perused the application and say filed by Ld. Counsel for the plaintiff below Exh.278.

2. It is the contention of Ld. Counsel for the defendant that today plaintiff has filed the reply on application filed under order 7 rule 11 of CPC. The copy of the reply has been received by him today itself. The reply is to be given to Ld. Counsel Shri. B. K. Gandhi. Therefore, Ld. Counsel for the defendant prayed for grant of time to conduct the hearing.

3. Ld. Counsel for the plaintiff strongly opposed the application and submitted that the suit is almost 10 years old. Hon'ble High Court in Common Judgment in 12 Write petition including writ petition No.5689/2025 has given direction to decide this suit expediently within the period of 6 months from the date of order of Hon'ble High Court dated 28.11.2025. The record will show that defendant is not co-operating with the court to decide the suit expediently. The defendant did not filed evidence affidavit immediately. After filing the evidence affidavit the defendant is not proceeding with recording of evidence. There is no good ground for

adjournment. This application is liable to be rejected with heavy costs and evidence of the defendant be closed for failure to proceed with evidence.

4. It is further submitted by counsel for the plaintiff that the application is clearly vexatious and mischievous. It amount to unnecessary wasting the court time. Under such circumstances it is necessary to impose heavy costs of Rs. 25,000/- on the defendant. The defendant will not stop making such application unless deterrent cost is imposed. With these contention Ld. Counsel for the plaintiff prayed for rejection of the application with heavy costs.

5. Heard Ld. Counsel for the plaintiff and Ld. Counsel for the defendant.

6. It is matter of record that this suit is fixed for the evidence of the defendant from 16.01.2026. It is also matter of record Hon'ble High Court has made this matter time bound in the judgment of writ petition No.5689/2025 by which it has been directed that this matter needs to be decided withing a 6 months from 28.011.2025 when Hon'ble High Court delivered its judgment in writ petition. In spite of that defendant appears to prolong this matter which is duly reflected from his conduct to not to proceed with evidence. Today, it is expected from defendant to proceed with their evidence. But, instead of proceeding with their evidence Ld. Counsel for the defendant filed the application under order 7 rule 11 of CPC and Ld. Counsel for the plaintiff gave reply on that application. Since this matter is time bound it is

expected from both party to conduct the hearing on today itself. Ld. Counsel for the defendant is reluctant to conduct the hearing and filed the instant application for grant of time on the ground which does not seems to be justifiable in view of the facts and circumstances of this case. Therefore, in view of above reason I am not inclined to allow this application and proceed to pass following order.

**ORDER**

Application for grant of time to conduct the hearing on application filed under order 7 rule 11 of CPC is rejected.

Date : 24.02.2026.

**[ N. D. Meshram ]**  
Civil Judge Jr. Dn. Shegaon,  
Dist. Buldana.

I, *P. K. Ingle*, Stenographer Grade-III of C.J.J.D. & J.M.F.C. Court No.1, Shegaon affirm that the contents of this P.D.F. file order is correct word to word as per the Original Order.