

MHBU100008672022



R.C.S. No. 68/ 2022

Anand V/s.Umeshsingh

**ORDER BELOW EXH. 32**

01) Perused the application and say filed thereon. Heard Learned Counsels for the respective parties.

02) It is contended by the denfendant that on 27.02.2025, he was gone out of station. Similarly, his learned counsel was also out of station and therefore, they could not attend the said matter and as such could not proceed on that day. Consequently, this Court passed no cross order and therefore, instant application has been preferred.

03) The learned counsel from the plaintiff vehemently opposed this application on the ground that defendant is intentionally trying to prolong the matter. The reasons stated in the application is not satisfactory and therefore, he prayed to reject the said application.

04) The reason stated in the application for non proceeding in this case on 27.02.2025 does not appears to be just and proper. However, in order to decide the controvercy involved in the suit effectively and on merit, one oppportunity is required to be given to the defendant in the interest of justice. As the said matter is prolonged due to non-proceeding of defendant, suitable cost is also required to be saddled upon him. In the result, I am inclined to pass the following order.

**ORDER**

- 1) Application is allowed.
- 2) No cross roder dated 27.02.2025 us set aside subject to payment of costs of Rs. 500/- (Five Hundred Only) to the plaintiff.

Date:16/07/2025

(P. S. Thakare)  
Jt.Civil Judge, Junior Division  
( Court no. 1),Malkapur

## CERTIFICATE

I affirm that the contents of this [P.D.F.](#) file order is same, word to word, as per the original order.

Court	J.M.F.C. Court No.1, Malkapur
Date	16/07/2025
Order signed by the presiding officer on	16/07/2025
Order uploaded on	16/07/2025