

ORDER BELOW EXH. 05
(CNR No. MHBUI3000 141 2018)

Since 28-02-2018 this suit was for hearing on Exh.5. Meanwhile there were other applications also. Roznama shows that my Ld. Predecessor heard the argument at Exh.5, but meanwhile application Exh.45, as per Order 1 Rule 10 of Civil Procedure Code, 1908 was preferred. On 07-07-2018 plaintiff filed say to Exh.45 application. The application at Exh. 45 is decided on 11-07-2019. Roznama shows that after filing say to Exh.45, plaintiff and advocate is absent for several time. After deciding the application Exh.45, i.e., on and after 11-07-2019, plaintiff and advocate absent. After deciding the application Exh.45, matter is posted for hearing on Exh.5. As advocate of plaintiff not turned to argue on Exh.5, conditional order dated 09-08-2019 was passed at Exh.5. Roznama shows that on 11-07-2019, 16-07-2019, 29-07-2019, 09-08-2019 and today also plaintiff absent and her advocate not turned to argue on Exh.5, application. Advocate of defendant was present. When called till 5:00 p.m., plaintiff absent. No adjournment application filed on record on behalf of plaintiff. Conduct of plaintiff shows that she is not interested to proceed with Exh.5, temporary injunction application. After passing conditional order dated 09-08-2019, today also necessary steps are not taken with respect to Exh.5 application. Thus, in this situation, conduct of plaintiff shows that she is not interested to proceed with Exh.5 application. Hence, Exh.5 application will be decided along with main suit.

Place - Chikhali,
Date - 22-08-2019

(Ku. L.H.Jadhav)
Jt. Civil Judge (Jr. Dn.), Chikhali.

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C E R T I F I C A T E

I affirm that, the contents of this PDF file Judgment / order are same word for word, as per original order.		
Name of the Stenographer	:	Mohammad Idris Gulam Murtuza
Name of the Court	:	J.M.F.C. Court, Chikhali
Dated	:	22/08/2019
Order uploaded on	:	22/08/2019