

Order below Exh.15 in CC/ I/479/2023
(Sunil M. Parab Vs. Vidyadhar Dalvi & others)

1. This is an application filed by disputant to proceed with the dispute without filing WS of opponent No.4. Disputant submitted that on 14/12/2023, the summons was duly served to opponent No.4. But opponent No.4 not filed their WS. Hence, prayed to foregone the right to file WS to the opponent No.4 and proceed without WS of opponent No.4. No say filed on the application. Hence, application is proceeded without say.

2. Perused the application. After going through the application, it appears that no vakalatnama is filed on behalf of opponent No.4. However, roznama shows that opponent No.4 was present. After giving sufficient opportunity to the opponent No.4, they failed to file WS within limitation. Hence, it is necessary to pass no WS order against the opponent No.4. Therefore, the application is allowed only with prayer to proceed without WS of opponent No.4. Accordingly, I proceed to pass following order.

ORDER

1. Application is partly allowed.
2. Dispute is proceeded without WS of opponent No.4 and accordingly, no WS order is passed against opponent No.4 below Exh.1.

Date : 26/11/2024

Sd/-
(S.V.Metil-Patil)
Judge,
Co-operative Court No.1,
Mumbai.