

CNR No. MHKO070005402023

Dattatrya Vs. Bhalchandrarao



**Order below Exhibit 45**

Plaintiff has filed this application with a prayer that no argument order passed below Exh Nos.16, 17 and 18 be cancelled and opportunity shall be granted for plaintiff for argument. Material contents of the application are as following. Defendants have furnished applications Exh. Nos.16, 17 and 18. Date was fixed for argument on it. However on 11.6.2026 the court has passed no argument order against the plaintiff. Plaintiff is ready to conduct the proceeding and ready for argument. On 11.6.2026 plaintiff was suffering from illness hence he could not approach his learned advocate and could attend the court. If the argument of the plaintiff cannot be allowed then matter will not be conducted on merit. Hence in the interest of justice no argument order be cancelled and opportunity given to plaintiff to argue about application Nos. 16, 17 and 18.

2. The learned advocate for defendant Nos. 1 to 3 have filed say about this application. It is mentioned in the say that there is no documentary evidence to show that contents of the application are true and valid, there is no explanation for adjournment sought by plaintiff. It is further mentioned that plaintiff has never taken genuine efforts to conduct the matter honestly, there is no such provision of this application, there is no provision for such an application, hence it shall be rejected with cost.

3. Heard arguments. Perused record of the proceeding. It is revealed from record that application Exh. Nos. 16, 17 and 18 are filed by the defendant on 15.06.2023. On 30.11.2023 plaintiff has filed say about said applications and thereafter suit is fixed for hearing about said Exh. Nos. 16, 17 and 18. On last date i.e. 09.07.2026 it was revealed that required court fees stamps were not affixed to application Exh. Nos. 16, 17 and 18. Thereafter the learned advocate for defendant filed an application Exh.39 and the same was allowed by the court and permission was granted to affix said court fees stamps. On the same date plaintiff had filed an adjournment application Exh.40, and it is allowed by the Court. Thereafter suit is fixed on today's date i.e. 16.07.2026 in fact there is no order such as 'no argument' is passed against plaintiff. For the merit of the proceeding it seems just and proper to grant permission of plaintiff regarding application Exh.Nos.16, 17 and 18.

4. Accordingly following order is passed.

**ORDER**

Permission is granted to the plaintiff for argument about  
Exh. Nos. 16, 17 and 18.

Date : 16.07.2026.

(A. B. Kurane)  
Civil Judge Senior Division,  
Jaysingpur.