

Order below Exh.1 in RCS No.77/2015

Lailabi & Or. Vs. Inayatbi & Ors.

Parties and learned advocate for defendants remained absent when repeatedly called till 1.05 pm. Learned advocate for plaintiffs Shri M.K.Walande was present at 11.40 am and submitted that P.W.No.1 will appear within 15 to 20 minutes. However, plaintiffs remained absent when called till 1.05 pm. P.W.No.1 Lailabi Bijapure failed to offer herself for cross examination. None of the parties have sought adjournment. The suit is pending since year 2015 i.e. from last more than five years. *Hon'ble Bombay High Court has time and again directed to dispose of matters pending for more than five and ten years on priority basis.* In such circumstances, it is necessary to decide this suit at the earliest. It appears that parties are not interested in proceeding with the matter for the reasons best known to them. Thus, I find no reason to keep the matter pending. Hence, I pass following order:-

ORDER

1. The suit is dismissed under Order IX Rule 3 of CPC.
2. Interim order, if any, stands vacated.

Order dictated and pronounced in open court.

Date : 02/07/2022

(Ashish B. Marlecha)
Civil Judge (Sr.Dn.),
Nilanga, Dist. Latur.