

Order Below Exh.78 in RCS No.77/2015

By this application plaintiffs have requested for setting aside the dismissal order and for restoration of the suit, on the grounds stated in the application. Defendants have filed their say and raised strong objections. Perused application and say. Heard both the sides. Considering the grounds stated in the application and nature of suit, in my opinion it is necessary to grant plaintiffs an opportunity to proceed with the matter. Apart from this, P.W.No.1 Lailabi is also present in the Court. This itself shows that plaintiffs are not deliberately prolonging the matter. For these reasons and in the interest of justice, I pass following order:-

ORDER

1. The order by which the suit came to be dismissed under Order IX Rule 3 CPC is set aside and the suit is hereby restored on condition that the plaintiffs shall proceed with the matter expeditiously.
2. No order as to costs.

Order dictated and pronounced in open court.

Date : 02/07/2022

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