

R.C.S. No. 416/2015

Umakant Vs. Lalasaheb and Ors.

ORDER BELOW Exh.01

Today, again the plaintiff Umakant Tukaram Mohite remained absent when called and failed to offer himself for cross-examination. The plaintiff filed his affidavit of examination-in-chief vide Exh.26 on 09.06.2016. Thereafter, his evidence was discarded on 20.07.2016 and 24.01.2017 also. Such orders discarding his evidence were set-aside as record and proceeding reveal. The plaintiff again remained absent since last many dates. The present suit is pending for recording cross-examination of the plaintiff Umakant Tukaram Mohite (P.W. 1) since last many dates. However, the plaintiff failed to remain present and offer himself for recording his cross-examination. Today, the plaintiff again remained absent on repeated calls. The plaintiff (P.W.1) ought to have remained present and proceeded as aforesaid. However, he failed for doing so. Ample opportunities have been given for proceeding as aforesaid. However, it is of no use. The suit is old one i.e. of year 2015. That should be proceeded further on priority basis. In such circumstances, it is not just and proper to keep present suit pending anymore for the same stage. Hence, evidence of the plaintiff Umakant Tukaram Mohite (P.W.1) is hereby discarded.

Date :13/01/2026
Place: Nilanga

(R. V. Pande)
Civil Judge, Senior Division, Nilanga,
District Latur.