


MHNS180004032015 	<p style="text-align: center;"><b><u>ORDER BELOW EXH.01 IN RCS</u></b> <b><u>NO.38/2015</u></b></p> <p style="text-align: center;"><b><u>Shri.Uttam Santosh Nirbhavane</u></b></p> <p style="text-align: center;"><b><u>Vs.</u></b></p> <p style="text-align: center;"><b><u>Shri. Tukaram Arjun Nirbhavane &amp; ors</u></b></p>
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Present suit is filed by plaintiff for declaration and permanent injunction on 06.04.2015. Thereafter, defendants appeared and filed written-statement. Thereafter, application Exhibit 05 was decided pm 20.11.2015 and issues were framed. Accordingly, suit was fixed for evidence of the plaintiff. However, even after ample opportunities plaintiff failed to file his evidence-affidavit on record. Therefore, by passing order on Exh.01 on 28.07.2025 the suit was fixed for passing dismissal order. Today, called repeatedly plaintiff and his Ld.advocate are absent. No progress in the suit. No purpose will be served by keeping the suit pending on same stage. The conduct of plaintiff shows that he has lost interest in the suit. Therefore, no purpose will be served by keeping file on the record. Hence, the following order.

**ORDER**

- 01] The suit is dismissed in default for want of prosecution.
- 02] The interim order, if any, stands vacated.

Date :- 28/04/2026.  
Place :- Kalwan.

( M.V. Jawale)  
Civil Judge, Junior Division,  
Kalwan.