

Regular Civil Suit no. 23/2014
(CNR No. MHNS230004292014)

Balu Khatale and ors.,

Vs.

Lahanu Khatale and ors.,

ORDER BELOW EXH. 1

The plaintiffs, the defendants and their respective advocates were called out repeatedly. They remained absent. No application is on record on behalf of either party.

2. Perused the record of the case and Roznama. It reveals that on 26th September 2025, an order was passed below Exhibit-33 permitting the plaintiffs to carry out amendment in terms of the order below Exhibit-29, subject to payment of costs of ₹1,500/-. However, the plaintiff have failed to pay the said costs and has not complied with the said order till date.

3. Further, on perusal of the record, it appears that the plaintiffs have not taken any steps for a considerable period. The evidence of the plaintiffs also came to be closed on 24th June 2022, as the plaintiffs remained absent and failed to lead evidence.

4. Despite sufficient opportunities, the plaintiffs have failed to proceed with the matter. Hence, considering the continued absence of the plaintiffs and failure to comply with the orders of the Court, this Court proceeds under the provisions of Order XVII Rule 2 and Rule 3 of the Code of Civil Procedure.

5. In view of the above, the evidence of the plaintiffs are hereby discarded and treated as nil.

6. The conduct of the plaintiffs clearly indicates that they are not interested in prosecuting the present suit. Hence, the matter is kept for passing appropriate orders of dismissal of the suit on the next date.

Date : 17.04.2026

Place : Igatpuri.

(Yashshree Marulkar)
Civil Judge, Senior Division,
Igatpuri.