

MHNS230016662019



**REGULAR CIVIL SUIT NO. 100 OF 2019**

Kamalabai Kama Pathve & ors.,

Vs.

Thakubai Govind Lote

**ORDER BELOW EXH. 1**

This is a suit for Partition. On 01/04/2026 plaintiff no.1 has filed withdrawal pursis at Exh. 38 and plaintiffs nos. 2 and 3 are dead. Legal heirs of plaintiff no.2 have not appeared and also legal heirs of plaintiff no. 3 are not brought on record till today. Since, the defendant no. 3 died prior to institution of the suit, plaintiff no. 1 has filed withdrawal pursis. By order dtd. 01/04/2026, the suit was kept pending for appearance of legal representatives of plaintiff nos. 2. No one appeared today. Hence, it seems that legal representatives of plaintiff no.2 are not interested in conducting the suit. Thus, I proceed to pass following order.

**ORDER**

1. The suit is hereby withdrawn for plaintiff no. 1 and dismissed in default for want of prosecution for plaintiff no. 2 under Order 9 Rule 8 of Civil Procedure Code,1908.
2. Bill of cost be drawn.

Igatpuri,  
Date:20.04.2026.

( Mohini Nanaware )  
Jt. Civil Judge, Sr. Dn., Igatpuri.