

E-filing**ORDER BELOW EXH. 13 IN CRIM.A. NO. 12/2025**

(Vijaya Ram Dhobale Vs. Ram Prahlad Dhobale)

(CNR No. MHPU17-001474-2025)

1. This is an application filed by non-applicant seeking set aside of “Ex-parte” order passed against him below Exh.1 dated 18/11/2025.
2. Learned advocate for the non-applicant has submitted that, non-applicant has been served with notice of the application. But due to his ill health, he could not appear before the Court and file his say. Hence, ‘Ex-parte’ order came to be passed against him. However, it is necessary to set aside the impugned order against him so that he get an opportunity to contest the application on merit. Lastly, prayed to allow the present application.
3. On the other hand, present application has been strongly objected by the applicants by filing Say below the application at Exh.15. Wherein, it is contended that the contents and grounds raised in present application are false and improper. It is further contended that non-applicant is intentionally trying to prolong the proceeding. Lastly, prayed to reject the application or in alternate prayed Rs.2,000/- as a costs from non-applicant.
4. Heard both sides. Perused the application and say. Perused record and proceeding. It appears that the notice of instant proceeding was duly served upon the non-applicant, but he failed to appear before Court. Hence, ‘Ex-parte order’ came to be passed on 18/11/2025 against him.
5. It is well settled that opportunity of natural justice should be given to everyone. It is also well settled that no one should be condemned unheard. In order to enable the court to effectively decide the matter, it is necessary to set aside Ex-parte order dated 18/11/2025 passed against said non-applicant. Obviously, this would never cause any prejudice to the applicants. Hence, I

pass the following order.

ORDER

1. Application Exh.13 is allowed subject to costs of Rs.1,000/-.
2. The impugned order dated 18/11/2025 passed against the non-applicant is hereby set aside.

Indapur
Date : 14/07/2026

(M.H. Farooqui)
Judicial Magistrate First Class,
Indapur, Dist. Pune.
(Court No.2)

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment/
Order are same word to word as per the original order.

Name of Steno. :- Smt. P. D. Kadam (Stenographer-3)

Court Name :- Shri. M.H. Farooqui,
Judicial Magistrate First Class,
Indapur, Dist. Pune. (Court No.2)

Date :- 14/07/2026

Order signed by the :- 14/07/2026
presiding officer on

Order uploaded on :- 14/07/2026