

MHND010008632016

**ORDER BELOW EXH.01 IN CIVIL M.A. NO. 50/2016**

Syed Azmat ali Syed abed Ali Vs Bombay mercantile Co op Bank

It appears that, the applicants have filed this application under Section 33(2) of the Arbitration and Conciliation Act, 1996 for setting aside *ex-parte* ordered in arbitration dispute dated 04.10.2011. The Roznama shows that, since long the matter was pending for appearance and, thereafter, it was listed for taking necessary steps. This Court *vide* order dated 13.10.2025 had directed applicants to take necessary steps. Despite that, no steps were taken. Hence, again on 01.01.2026 this Court kept matter for passing dismissal order. Thereafter also the matter was listed on 21.02.2026, 25.02.2026, 02.04.2026, 24.04.2026, 29.06.2026 and lastly 03.07.2026. Today also neither the applicants nor their learned advocates appeared before the Court despite repeated calls till 5.45 p.m. Hence, I find that, the applicants have lost interest in the present matter. Matter is almost 10 years old. No purpose will be served by keeping matter pending without progress. Hence, order.-

ORDER

- 1) Civil M.A. no. 50/2016 stands dismissed in default for non-prosecution.
- 2) No order as to costs.
- 3) The original record and proceeding in Arbitration Dispute no. Arbt./BMC/23/2010 be returned back to learned Arbitrator, C/o. Bombay Mercantile Co-op. Bank Ltd. 4th floor, Juna Bazaar, Aurangabad immediately

Date : 03.07.2026

Sd/-
(T.S. Solankar)
District Judge-2, Nanded.

Certificate

I affirm that the contents of this PD.Ffile Judgment are same word to word, as per the original judgment.

Name of Stenographer	:	B.R. Khindre, Steno Grade-1
Court Name	:	District Judge-2 and Addl. Sessions Judge, Nanded.
Date of Order/Judgment		03.07.2026
Judgment signed by Presiding officer		03.07.2026
Judgment uploaded on	:	03.07.2026

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