



CNR No. MHSI070000292016
Order passed below Exh. No. 43
in R.C.S. No. 127/2014

Perused record. Vide order below Exh. 43, my learned predecessor had allowed the application of the plaintiff to send the sale deed at Exh. 32/1 to a handwriting expert for comparison and opinion with the signatures of the deceased available with Janta Sarkari Bank at Exh37. The said order was passed on 27.11.2024, subject to the condition that the plaintiff deposit the necessary charges within one month. It was further directed that in the event of failure to deposit the charges, the right of the plaintiff to have the document examined would come to an end, and only upon such deposit would the matter be sent to the expert.

2. Despite the said order, the plaintiff has failed to deposit the required charges within the stipulated time. Thereafter, by a subsequent order, the plaintiff was directed to remain present before the Court and comply with the earlier order. However, even thereafter, the plaintiff failed to appear or pay the necessary charges. Today also, despite repeated calls, no one has appeared for the plaintiff, nor is there any application on record seeking extension of time or compliance with the earlier directions. In these circumstances, it would be just and proper to recall the order passed below Exh. 43.

ORDER

1. The order passed below Exh. 43 stands recalled.
2. The matter shall proceed in accordance with law.

(Pronounced and dictated in open Court.)

Place : Malvan
Date : 20/09/2025

M.K.Fakih
Civil Judge (J.D.) Malvan.