

ORDER BELOW EXH. 1 IN RCS NO.140/2021**Sunanda Vs. Ramesh & ors.****CNR No.MHSN0700- 945-2021**

Perused the record. Suit summons was issued to defendant nos. 5, 7 to 16, 18 to 22, 24 to 28, 30 to 37, 39 to 62, 64 to 77 , 80 to 93 on the basis of acknowledgment Exh. 16 dated. 21.10.2023. The said summons was returned un-served with report dated 21.10.2023 stating that defendant nos. 5, 7 to 16, 18 to 22, 24 to 28, 30 to 37, 39 to 62, 64 to 77, 80 to 93 are not found on given address. Roznama shows that since then plaintiff is absent and no steps has been taken for securing presence of defendant nos. 5, 7 to 16, 18 to 22, 24 to 28, 30 to 37, 39 to 62, 64 to 77, 80 to 93. Today also plaintiff and his advocate are absent though called at 11-30 AM and 4-30 PM. As per Order IX 9 Rule 5 of the CPC Bombay High Court notification the plaintiff fails to apply for issue of fresh summons within period of two months. Hence it will proper to dismiss the suit against defendant nos. 5, 7 to 16, 18 to 22, 24 to 28, 30 to 37, 39 to 62, 64 to 77 , 80 to 93 as per Order IX 9 Rule 5 of the CPC. Hence following order.

ORDER

Suit is dismissed against **defendant nos. 5, 7 to 16, 18 to 22, 24 to 28, 30 to 37, 39 to 62, 64 to 77 , 80 to 93** as per under Order IX Rule 5 of the Code of Civil Procedure Code 1908.

Date : 12.02.2026

Place : Kavathe Mahankal

(M. A. Kulkarni)Jt. Civil Judge Junior Division,
Kavathe Mahankal

CERTIFICATE

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

Name of the Stenographer	:	Mrs. J. A. Salunkhe (Stenographar grade - III)
Court	:	Jt. C.J.J.D. and J.M.F.C., Kavathe Mahankal.
Date	:	12.02.2026
Order /judgment signed by P.O. on	:	12.02.2026
Order /judgment uploaded on	:	12.02.2026