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RCS No. 433/2017
Jarichand & Ors. Vs. Sunil & Anr.

ORDER BELOW EXH.1 IN R.C.S. NO. 433/2017
(CNR NO. MH50130005092017)

Perused the record. The suit is filed for perpetual injunction. Suit is pending for steps to be taken by the plaintiff. On 17/02/2020 the plaintiffs have filed pursis stating that, plaintiff has died. Thereafter, the plaintiff did not take any steps. The plaintiffs failed to take steps and remain present, hence this suit was kept for dismissal vide order Exh.1 dated 30/09/2025. In spite of that, the plaintiffs have continuously remained absent and failed to take proper steps. The roznama indicates that the plaintiffs are absent since long time.

Today also, plaintiffs and their advocate are absent when called out repeatedly. Hence, it appears that, plaintiffs have lost their interest to proceed with the suit. In the present matter, roznama shows that, the plaintiffs are absent from long time. Therefore, considering the age of matter, long age absence of the plaintiffs and their failure to proceed with the suit, no purpose would be served to keep the present suit pending. Hence, considering such circumstances, I am inclined to pass the following order.

ORDER

1. Suit is dismissed under Order IX Rule 3 of C.P.C.
2. Counter claim is proceeded.

Sd/-

Date: 17/12/2025

(Smt. Revati P. Bagade)
4th Jt. Civil Judge, J.D. Barshi.

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CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment / Order

(a)	Name of the Stenographer	:	S.V. Kokate (Grade III)
(b)	Court	:	Smt. Revati P. Bagade, 4 th Jt. Civil Judge, J.D.& J.M.F.C.Barshi
(c)	Judgment /Order signed by P.O. on	:	17/12/2025
(d)	Judgment /Order uploaded on	:	18/12/2025