

ORDER BELOW EXH. 1**Malaka Miskar. vs. Jagannath Miskar & Others.**

Perused record of the matter. On perusal of the same, it appears that plaintiff has filed instant suit for declaration and perpetual injunction. It further appears that, in the present matter, issues came to be framed on 14/02/2023, thereafter matter came to be fixed for evidence of plaintiff. However, thereafter, plaintiff has not remained present for giving evidence despite giving much opportunity to the plaintiff. Moreover, order below Exh.1 was came to be passed on 27/04/2023 thereby present matter was kept for dismissal order. Today also plaintiff is absent when called out repeatedly. There is no application for adjournment filed on record. This matter has become more than 5 years old and the Hon'ble Bombay High Court has directed to dispose of old matters as early as possible. It appears from record that the plaintiff is not interested in the matter and he has lost his interest. As such, I think it just and proper to pass following order.

ORDER

- 1 Suit is dismissed in default for want of prosecution.
2. Counter claim of defendant Nos. 1 to 4 will be proceeded further. Defendants / Counter Claimants shall file their evidence on next date without fail.

Date:07/03/2024.

(*S. W. Thombre*)
Civil Judge Junior Division,
Mohol.

CERTIFICATE

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

Name of Stenographer : S. K. Torane

Court : Civil Judge Junior Division, Mohol.

Date : 07-03-2024

Judgment /order signed by the : 07-03-2024

Presiding Officer on

Judgment /order uploaded on : 07-03-2024