

ORDER BELOW EXH. 469
IN
Spl.Civil Suit No. 1 of 2023
(Bansi Ghadge Vs. Maharashtra State & Ors.)

On perusal of application it reflects that the present application has been filed on behalf of defendant No.9(b). Learned Counsel for defendant No.9(b) submitted that they are preparing for the District Judge Examination and, on that account, are occupied with the examination schedule. It is further submitted that they are required to go out of the city for the purpose of the said examination and, therefore, could not attend the matter during the summer vacation. The said application (Exh.469) came to be filed on 08.05.2026. This Court had earlier passed an order below Exh.460 directing the parties that, if any party had objection to proceeding with the matter during the summer vacation, such objection may be raised on or before 08.05.2026. Accordingly, the matter was kept on 08.05.2026 for the purpose of calling objections, if any, from parties who were unable or unwilling to attend the matter during the summer vacation. The plaintiff and Defendant No.15 had taken note of the order passed below Exh.460.

2] Defendant No.9(b) raised objection to hearing of the matter during the summer vacation. Defendant No.15 filed a purnis stating that he is ready to proceed with the matter during the summer vacation. However, he also filed a contrary say to the application filed by defendant No.9(b). In such circumstances, it appears that defendant Nos.9(b) and 15 are not willing to proceed with the matter during the summer vacation. The plaintiff remained present before the Court at 11:00 a.m. and is ready to advance arguments. It is pertinent to note that, for a considerable period, defendant No.9(b) has not remained personally

present before the Court and appears to be prolonging the proceedings. It may also be noted that the District Judge Examination was scheduled on 10.05.2026. However, even thereafter, defendant No.9(b) has expressed unwillingness to proceed with the matter.

3] It is obligatory on the part of the parties to take proper steps in an old pending matter. In the present circumstances, defendant No.9(b) did not remain present before the Court today despite repeated calls. Though it may not be appropriate to hear the arguments of the plaintiff in the absence of the defendants, it is equally incumbent upon the defendants either to remain present and argue the matter or to place proper grievance before the Court regarding the conduct of proceedings during the summer vacation. Defendant No.9(b) and his learned counsel remained absent on both 08.05.2026 and 25.05.2026. This conduct indicates that such applications are being filed only to avoid proceeding with the matter on the scheduled dates. In view of the facts and circumstances of the case, I am inclined to pass the following order.

ORDER

1. Application below Exh.469 is allowed, subject to payment of costs of Rs.1,500/-.
2. The said costs shall be paid to the Plaintiff.
3. Defendant Nos.9(b) and 15 are directed to remain present before the Court for the purpose of arguments without fail. In the event of their failure to remain present, their right to advance arguments shall stand automatically waived on the next date.

Place : Karmala
Date : 25.05.2026

(S.M.Ghuge)
Civil Judge, Senior Division,
Karmala, Dist.Solapur

CERTIFICATE

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

Name of Stenographer : B.R.Kondekar
Court Name : Civil Court Senior Division, Karmala
Date : 25-05-2026

Order/Judgment signed
by the Presiding Officer on : 25-05-2026

Order uploaded on : 25-05-2026