

R.C.S NO. 31/2008  
Premsing Vs. Devi Sevasdas Sansthan  
CNR No. MHWS09-000007-2007

**Order Passed Below Exh. No. 1 in R.C.S. No.31/2008**  
(Passed on 17<sup>th</sup> April 2018)

1. Perused record of the suit. It goes to show that, matter is pending since January 2018 for dismissal of the suit. Record further show that, the plaintiff and his advocate are remaining absent regularly. Even the plaintiff is not filing adjournment application on record.
2. Further by an order below Exh.No.1 dated 01.01.2018, suit has been kept for order of dismissal. It is pertinent to note that, the matter is old one of the year 2008. The court has granted sufficient opportunity to the plaintiff to lead his evidence.
3. Today, the plaintiff and defendants and theirs respective advocates are absent though called repeatedly. Even no application for adjournment is filed on record on behalf of the plaintiff. Previously specific directions were given to the plaintiff but he failed to comply the same. After perusal of the record it appears that the plaintiff and his advocate are not willing to proceed with the suit. Therefore, it would be proper to dismiss the suit in default. Perusal of the record further shows that there is counter-claim of the defendant which has to be decided on its own merits. Hence, I pass the following order.

**ORDER.**

- 1 Suit is dismissed for default to adduce evidence and thus for want of prosecution.
- 2 The matter be posted for evidence of the counter-claim.

Date:- 17.04.2018.

Sd/-  
(R.M. Shaikh)  
2<sup>nd</sup> Civil Judge Junior Division,  
Manora.

**CERTIFICATE**

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

Name of Clerk. :- R.V. Jadekar, Junior Clerk

Court Name :- 2<sup>nd</sup> Jt. Civil Judge (Jr.Dn.) and  
J.M.F.C., Manora. Dist. Washim.

Date :- 17/04/2018

Order signed by the :- 17/04/2018  
presiding officer on

Order uploaded on :- 18/04/2018