

MHYA050012042013



Spl. C. S. No.14/2013

Mo. Jiyauddin -Vs.- Mo Isak & Ors

**ORDER BELOW EXH.01**  
(Passed on 25<sup>th</sup> October 2024)

This is suit for damages for the defamation caused by defendant by publishing a libel against plaintiff.

02. The write from The Hon'ble Bombay High Court Bench at Nagpur in write petition No.887/2019 Mo. Jiyauddin -Vs.- Mo Isak & others received to this court on 22/10/2024. A copy of order Dt.22/09/2024 passed in the aforesaid write petition by Hon'ble High Court was annexed to it. From the contents of order it appears that the Hon'ble High Court pleased to quashed and set aside the order below Exh.48 and 50 Dt.13/01/2015 and 04/03/2015 passed by the Civil Judge (Sr.Dn.), Pusad.

03. Perusal of the contents of Exh. 48 and 50 reflect that both the application where moved by the defendant No.01 and defendant No.02. Both the application were allowed by the learned predecessor and plaint was rejected against defendant Nos.01 and 02 only. The said orders quashed and set aside by the Hon'ble Bombay High Court. Therefore, it is necessary to restore the suit against defendant Nos.01 and 02 and proceed further with the suit. Hence in view of the aforesaid order of Hon'ble Bombay High Court. I proceed to pass following order;

**ORDER**

1. The suit is hereby restored against defendant No.01 Mo. Isak Mo. Yusuf and Defendant no.02 Champat Balu Rathod in view of the order of Hon'ble High Court passed in write petition no. 887/2019, Dt.12/09/2024
2. Both the parties and their advocates are requested to proceed with the matter and adduce their evidence if any on next date without fail.

Date : 25/10/2024

( S. N. Naik )  
Civil Judge (Sr.Dn.),  
Pusad.

As per directions of P.O. dated 21/12/2019 :-

Date of dictation of order : 25/10/2024

Date of transcription of order by stenographer :25/10/2024

Date of checking of order by P.O. : 25/10/2024

Date of signature of P.O. on order : 25/10/2024

Date of order uploading : 25/10/2024

I affirm that contents of this PDF file **order** are same, word by word, as per original **order**.

Name of Stenographer : Avinash P. Gudhatwar  
Designation : Stenographer Grade-II