

**ORDER BELOW EXH.1**

The present execution proceeding is filed by D.H for recovery of compensation amount awarded under L.A.C. No. 77/1991.

2. The present proceeding was filed in the year 1996. On perusal of record, it appears that, notices were issued to J.D. under Order 21 Rule 22 of Code of Civil Procedure and those are duly served on them. But till date they have not deposited claimed amount. Record also shows that, D.H. and he remain absent since long. Matter is pending since year 1996 and it is pending for more than 22 years. There is absolute no progress in the matter on behalf of D.H. Due to absence of D.H. and for want of step on behalf of D.H. matter is unnecessarily pending.

3. On 05/09/2024 application of Exh.50 was filed by the D.H. for amendment in their claim. Notices were issued to J.Ds. which was served vide Exh.52. But they remain absent in the matter and not filed their say. Hence application of Exh.50 was allowed on 17/03/2022 with specific directions to D.H. to carry out amendment and submit amended copy immediately. But thereafter on 20/07/2023 D.H. has carry out amendment in the proceeding after 16 months. On 18/01/2024 an application of Exh.55 was filed by D.H. for attachment warrant against J.D. No.1 which was allowed. Attachment warrant was issued against J.D.1. But it was not executed. As per bailiff report of Exh.57 shows that, J.D. No.1 has deposited decretal amount. On 21/11/2024 D.H. filed an

adjournment application of Exh.59 which was rejected. In spite of opportunities given to D.H. they have failed to take proper and effective step to recover the decretal amount.

4. The present matter is listed for speedy disposal in view of the directions of the S.C.M.S. Committee of Hon'ble High Court, Bombay vide letter reference of District Court Yavatmal, O.W.No.55/26/CM/2024 dtd.25/06/2024. For want of D.H. and and for want of step by their Advocate there is no progress in the matter. However, for want of D.H. and as they are not taking effective steps in the Court, here it is necessary to give the specific directions to D.H. for speedy disposal of the matter. Hence, following order is pass:-

### **ORDER**

1. D.H. are directed to take note of the present order and co-operate to the Court for speedy disposal of the matter as directed in Action Plan 2024.
2. D.H. are hereby directed take proper and effective steps to show progress in the matter, if he fails to take steps and fails to show progress in the matter, further suitable order must be passed.

Date : 05/12/2024  
Place : Kelapur.

(K. K. Mane),  
Jt. Civil Judge (Sr.Dn.), Kelapur,  
Tal. Kelapur, Dist. Yavatmal.