

ORDER BELOW EXH.1

The present execution proceeding is filed by D.H for recovery of compensation amount awarded under L.A.C. No. 177/2002.

2. The present proceeding was filed in the year 2002. 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. also remain absent since long. Matter is pending since year 2007 and it is pending for more than 17 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 29/02/2024 application of Exh.13 was filed by the D.H. for amendment in their claim. Notices of it were issued to J.Ds. J.D. No.1 served with notice. Bailiff report shows that, the office of J.D. No.2 was closed and the matters of that office is handed over to concern Sub Divisional Office. Hence specific directions to D.H. was given to D.H. to take proper and effective steps in the matter against J.D.No.2.

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 for want of effective steps there is no progress in the matter. However,

for want of D.H. and as they are not taking effective steps, 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 against J.D.2 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.
3. D.H. are hereby directed to comply order passed below Exh.13 on 03/10/2024 to take steps against J.D.No.2.

Date : 05/12/2024
Place : Kelapur.

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