

COMMON ORDER BELOW EXH.1 AND 12

The present execution proceeding is filed by D.H for recovery of compensation amount awarded under L.A.C. No. 61/2002.

2. The present proceeding was filed in the year 2007. 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 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 05/10/2023 application of Exh.12 was filed by the D.H. for amendment in their claim. On that application order for issuance of notices to JDs. was passed. As per bailiff report notices was served to J.D. No.1 and 3 but it was not served to J.D. No.2, as office of the J.D.No.2 was closed and all matter of said office were transferred to concern Sub-Divisional office. Therefore, on 21/11/2024 order was passed below Exh.12 and D.H was directed to take effective steps against J.D. No.2. But since then D.H. remain absent and not complied with the order passed below Exh.12 till date. Ld. Adv. Shri D. G. Mankar for D.H. is well aware of the said order, but he has not taking effective steps for compliance of the order passed below Exh.12. For want of D.H. and for want of steps

on behalf of D.H. there is no progress in the matter. In spite of opportunities given to D.H. they have failed to take proper and effective step for issuance of notices to JDs of application of Exh.12.

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 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 hereby 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 also directed take proper and effective steps to show progress in the matter, by complying the passed below Exh.12 of dtd. 21/11/2024.
3. Ld. Adv. of the D.H. to take note of the present order and comply with the order today itself. If they fails to take steps and fails to show progress in the matter, further suitable order must be passed.

Date : 06/02/2025
Place : Kelapur.

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