

Naushad Sayyad V/s. Mohammad Sayyad

SPECIAL DRIVE

Order Below Exh.1 in Reg.Civil Suit No.26/2016

This is a suit for perpetual injunction. Perused the record and Roznama of the case. The record shows that, since 10/04/2019 the plaintiff remained absent and failed to take steps against defendant Nos.3 to 5. Today also the plaintiff and his learned counsel remained absent though called out repeatedly and failed to take steps.

2] Perusal of record shows that, the suit is 6 years old and remained unattended since the year 2019. These facts show that, plaintiff is not willing to proceed further with the suit. Already this court has passed order below Exh.1 dated 20/07/2022 regarding the steps not taken by plaintiff in the suit. So also, in view of provision of Order 9 Rule 3 of the Code of Civil Procedure, no purpose would be served by keeping unattended matter on record. Hence, the following order is passed -

ORDER

- 1) The suit stands dismissed in default for steps not taken and want of prosecution.
- 2) Case be disposed of accordingly.

Date :20/08/2022

(A. D. Margode)
Civil Judge, Jr. Dn.,
Mahabaleshwar