

MHPA060012282020	<u>Order Below Exh. 01 In S.C.C. 584/2020</u> <u>State Vs Sk. Riyaj</u>
	

Present Charge sheet is filed u/sec 188 and of the IPC. Against accused persons. It is seen from the record that the matter has been pending for the appearance of accused.

02. In this case Ld. APP Sharda Bhatt has filed application below **Exh. 02** vide Sec. 321 of Cr. P.C for withdrawal from the prosecution of the present case. It is contented that crime in present case has been registered against the accused with the Hingoli Town police Station for the aforesaid offences. The Ld. APP produced on record the photo copies of the letter received by him from the Directorate of prosecution, Maharashtra dt. 03/05/2023 directing to proceed for the withdrawal of the present case from the prosecution. Hence, Ld. APP has prayed for allowing the Application.

03. I have gone through the record of the case and also the application filed by Ld. APP. It is seen that accused were disobedience to order duly promulgated by the public servant. The state is the aggrieved party and it is not intending to continue with the trial of this case against the accused persons. Therefore, I think it is proper to permit the prosecution to withdraw from the prosecution vide sec. 321 fo Cr.PC and as per

the direction of the state Govt. Hence, I proceed to pass following order:

ORDER

- 1- Application below Exh. 02 is allowed.
- 2- The case is disposed off as withdrawn from prosecution.
- 3- Accused are discharged.
- 4- Case paper be filed.

Place: Hingoli

Date 27/11/2023

(I. J. Thakare)

Judicial Magistrate F.C.

Court No. 02 Hingoli.

The Plaintiff has filed this Suit on 27/06/2016 for possession. Plaintiff and his Advocate are absent since long. Plaintiff is not taking steps since long. Hence, this Court passed order below Exh. 01 on 28/10/2021. Thereafter Plaintiff has given various opportunity to take steps on dated 13/01/23, 03/03/2023, 10/04/23, 26/04/23, 30/06/23, 12/07/23, 15/07/23, 27/07/23, 05/08/23, 14/08/23 and today also they not take any steps in suit. Even though Plaintiff and his Advocate are absent and not taken steps. Hence, no purpose would be served by keeping the matter lingering on the board. Hence, I am of the view that it would be just and proper to dismiss the suit in default for want of Plaintiff.

ORDER

- 1) Suit is dismissed-in-default for want of Plaintiff.
- 2) Accordingly, proceeding is closed.
(Pronounced in open Court).

Date : 30/08/2023.

(I. J.Thakare),
2nd Jt.Civil Judge, Jr. Division,