

Order below Exh.-1 in MACP No.733 of 2000

The present MACP case has been pending since long for recording evidence on the part of the applicant herein. Lots of opportunities made available to the applicant herein for leading his evidence or presenting whatever documents or any other evidence available with him for the purpose of decision of the present proceeding on merits. Right now, there is not an iota of evidence substantiating the claim of the applicant herein. In the absence of evidence, the claim that is put forward in the application is not sustainable on any of the counts like involvement of the vehicle in question, the negligence on the part of particular vehicle driver, quantum of the damages that may have been sustained by the applicant or victim therein and liability as regards payment of such compensation at all he were suffered in the alleged mishap.

Furthermore, this MACP case has been pending for almost a decade and yet the applicant herein has not been prosecuted further, in spite of affording more than necessary opportunities and today repeatedly called out at 2:45pm and at 5:55pm, but neither the applicant nor his learned advocate remained present for prosecuting further the present case. In the result, the present court is left with no option but to dismiss the petition for want of prosecution in the backdrop of absence of any evidence on the record.

The present MACP case stands dismissed for want of prosecution.

This order is pronounced in the open Court on 24th day of Month of April, 2017.

[Kanubhai R. Rabari]
6th Addl. District & Sessions Judge,
Ahmedabad (R) at Mirzapur.
UIC No. GJ 00477.