

Order Below Exh.1
In
Summary Suit No.1837 of 2010.

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(Coram: -Mr. B. C. Bhalia, J.)

Record reveals that issues were framed at Exh.33 on 1.11.2017. Thereafter, the plaintiff has failed to file evidence though sufficient opportunities have been given to the plaintiff. The record further reveals that the plaintiff has filed an application at exh.44 to grant time to file evidence which was allowed on 31.12.2019 on condition to deposit Rs.200/- towards costs in Legal Aid Committee, Small Cause Court, Ahmedabad. The plaintiff has deposited the said amount in the Court. Thereafter, plaintiff has also filed another application at Exh.45 to grant time for evidence which was also allowed on 16.01.2020 with condition to deposit Rs.600/- towards the costs in Legal Aid Committee, Small Cause Court, Ahmedabad. The plaintiff has deposited the said amount in the Court. Thereafter, the plaintiff moved another application at Exh.46 to grant time to file evidence which was also allowed on 6.03.2020 with condition to deposit Rs.1,500/-towards the costs in Legal Aid Committee, Small Cause Court, Ahmedabad. The plaintiff has not complied with

the said order of the Court. It appears that the plaintiff has been given abundant opportunities from time to time to file evidence in the matter, but he has failed to file evidence. Today, when called out repeatedly, the plaintiff or his Learned Advocate has not remained present to conduct the matter or given any adjournment application. Hence, this suit is hereby dismissed for default under O.9 R.3 of The C.P.Code. No order as to costs.

Date:- 19.7.2021.

Ahmedabad.

(Bhaskar Chandubhai Bhalia)
Judge, (U.I.No. 01469)
Small Cause Court No.2
Ahmedabad.

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