

::Order Below Ex. 01::

The matter is presently pending upon the stage of execution of summons issued by this Court upon the accused of the matter. Considering the record of the matter it appears that the matter is pending upon the same stage since a considerable period of time. This has resulted in a prolonged halt, which consequently results in -

- Delay in disposal of the matter,
- Repeated listing of matter upon same stage,
- Wastage of efforts of Court and Ministerial Staff,
- Unnecessary wastage of time,
- Wastage of Stationery (Though the summons is issued by electronic means but this Court is consciously aware that, hard output is taken at the end point of execution of process).
- Unnecessary expenditure adding to the cost of government revenue.

Hon'ble Apex Court in the case of *Sanjabij Tari Versus Kishore S.Borcar - 2025 (O) AJJEL-SC 75934*, emphasized on curtailing all the factors that, are delaying in disposal of the matter. Delay in execution of process is also considered as one of the prominent reasons for delay in disposal of matter. To expedite the execution of the process through police, Hon'ble SC has advised that, the summons in addition to that, may also be executed upon the accused by Dasti or through electronic means like e-mail, whatsapp messenger. Thus, this Court is of the considerate opinion that, for purpose of avodiing any futher delay in disposal of the matter, the summons upon the accused shall be issued by Registered Post at presently at the expense of the complainant.

Thus, this Court is inclined to pass below said final order here.

::Order::

The office of this Court is hereby directed to prepare the summons of the accused in hard print copy at least by next working day.

The complainant of the matter is hereby directed to obtain the process of the accused from this Court at least by day after to next working day. (In case the summons is not received within time prescribed, such incident shall be brought at the notice of this Court immediately).

The complainant shall promptly transmit the copy of summons so obtained from this Court by registered post consignment and originator address to be kept as address of this Court. Such summons shall be transmitted by ***India Post***.

Upon the next hearing date, the complainant of the matter shall produce the consignment tracking report of such summons sent through post upon the accused, without fail.

Abstaining to follow the instructions herein above shall be constructed as Nolle prosequi (lack of interest in prosecuting the matter).

Dt. May 05, 2026

Place - Ahmedabad City.

(N. A. Kulkarni)
42nd ACJM,
Ahmedabad City.