

IN THE COURT OF 5th ADDITIONAL DISTRICT JUDGE
AT ANAND

MACMA No. 456 OF 2025

ORDER BELOW EX. 1

Application for Restoration

- ➔ The applicant has filed present restoration application against the order passed below Ex. 1 in MACEX 81/2020 on 03/07/2025 by the 5th Additional Sessions Judge, Anand.
- ➔ It is the say of the applicant that he has filed above mentioned execution petition to recover the amount of compensation awarded in MACP No. 738/2007. It is stated that the notice was served to the respondent No. 1, but the respondent No. 2 has changed his residence and shifted to Vadodara and vadodara is a big city and therefore they could not produced address of respondent No. 2 and therefore this court has passed order for dismissed for default. It is stated that if the execution petition is not restored, he may suffer irreparable loss in terms of money. Hence, it is submitted to pass order for restoration of execution petition.
- ➔ Respondents are duly served with the notice and they have appeared before this court, but not filed any written objections so the right of respondent was closed on dt.02/07/2026.
- ➔ On perusing the record it appears that the Id. advocate for the respondent has appeared and sufficient opportunity was given to file objections, but not filed any objections. Moreover, if the execution petition is not restored, present applicant may suffer irreparable loss in terms of money and also injustice caused to the present applicant. Therefore, looking to the facts and circumstances of the case present application deserves to be allowed. Hence, court passes following final order.

ORDER

- ➔ The Application is hereby allowed.

- ➔ The order passed below Ex. 1 in MACEX 81/2020 on 03/07/2025 is hereby quashed and set aside.
- ➔ The Registry is hereby directed to restore the MACEX 81/2020 and place before appropriate Tribunal for further procedure in accordance with law.
- ➔ Pronounced in the open Court, today on this 5th day of August, 2026.

➔ Date : 05-08-2026
Place : ANAND

(R.B. GADHVI)
MAC Tribunal (Aux.) &
5th Additional District Judge,
Anand
JUDGE CODE - GJ-01067

Tarun Patel
PS