

Order Below Exh. 17 in RCA No.32/2021

Ld. Advocate for the respondent has filed this application and submitted that the right of argument of the appellant be closed as neither the appellants nor their advocate is present. Today, when the matter is called out, neither the appellants nor their advocate is present. The Civil Procedure Code does not contemplate closure of argument stage rather it provides for dismissal of appeal for default. Considering the facts and circumstances of the case and considering the principle of natural justice and in order to afford opportunity to the appellants to proceed with this appeal, following order is passed.

ORDER

1. The application filed by the respondent seeking closure of stage of arguments of the appellants is hereby rejected.
2. As a last opportunity, appellants are granted time to remain present and proceed with this appeal on the next date of hearing.
3. If the appellants or their advocate fails to remain present on the next date, appropriate order for dismissal of appeal for default shall be passed.
4. Matter be kept on 17.04.2026.

Date: 25/03/2026

(R. K. Desai)
Principal District Judge,
Bharuch
Code No.GJ00912