

Order Below Exhibit -1

- [1] Today, when the present matter is called out, at that time the plaintiff as well as Learned Advocate for the plaintiff is present but neither the defendants nor the learned advocate for the defendants remains present.
- [2] Further, on perusal of the record, it transpires that the plaintiff has filed present suit against the defendants for declaration and permanent injunction on 20.01.2021. Further, on perusal of the present suit, the summons notice were issued against the defendants and the same were yet to serve upon Defendant No.1 and 2, but the summons notice was duly served to the Defendant No.3. As per the report as submitted by the service authority it means bailiff. Further, it appears that the summons notices were duly served to the defendant no.3 but on perusal of the record nothing transpires from the record that on returnable date neither defendant no.3 personally remained present before this court nor along with his learned advocate. Further, it transpires that numerous of adjournments were granted by my learned predecessor, even though the defendant no.3 was not remained present before this court; hence it transpires that the defendant no.3 is not interested to defend the present suit; hence due to continuous absence of the defendant no.3; in the larger interest of justice, I pass following order as follows:

O R D E R

- 1) The present suit filed by the plaintiff is hereby ordered to be proceeded ex-parte against the Defendant No.3.
- 2) No order as to cost.

Signed and pronounced in the open court today 13th day of June, 2022.

Place: Kalol
Date:13/06/2022

[Prem Hansraj Singh]
CODE NO.GJ00746
Principal Senior Civil Judge,
Kalol, Dist:Gandhinagar

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