

ORDER BELOW EXHIBIT - 1

Neither the plaintiff nor his learned advocate is present when the matter is called out. Even there is no application on behalf of the plaintiff for proceeding with the matter. The matter is pending for presence of plaintiff for further proceeding with the matter and for submitting address of the defendants who have not remained present. The process was issued upon the plaintiff which has been served and the copy of statement showing service of process upon the plaintiff has been submitted at Mark - 39/2. The plaintiff has not remained present in the Court for further proceedings in the matter even after given many opportunities. Today, there is no submission or application on behalf of the plaintiff till rising of the Court. It appears that the plaintiff does not want to proceed with the suit and the plaintiff does not seem to have any interest in the present suit. Therefore, no alternative is left with the Court except to dismiss the present suit under Order IX Rule 3 of Code of Civil Procedure. In these circumstances, this Court passes the following order in the interest of justice:

FINAL ORDER

The suit of the plaintiff is hereby dismissed under Order IX Rule 3 of Civil Procedure Code.

No order as to costs.

Pronounced in open Court today on 5th of July, 2019.

Kalol

Date: 05/07/2019

**(Deepesh Mittal)
3rd Additional Civil Judge
Kalol**