

ORDER BELOW EXHIBIT - 1

Neither the plaintiff nor his learned advocate is present when the matter is called out. Even there is no application for adjournment for submitting evidence of the plaintiff. The suit is pending for evidence of the plaintiff but the plaintiff has not come to submit evidence. Neither the plaintiff nor the defendant is present. 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 which provides that the suit shall be dismissed in case of non appearance of both the parties. In these circumstances, this Court passes the following order in the interest of justice:

FINAL ORDER

1. The suit of the plaintiff is hereby dismissed under Order IX Rule 3 of Civil Procedure Code.
2. No order as to costs.

Pronounced in open Court today on 31st of December, 2021.

Kalol

Date: 31/12/2021

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