

Order belwo Exh.1

1. The present suit has been filed by the plaintiff for permanent injunction and declaration against the defendants on 05/10/2015.

2. On perusal of record, it transpires that the suit has been pending for evidence of plaintiff since long time. It also transpires from the record that this Court has framed issues at Exh.23 on 30/12/2016 and since then the suit has been pending for evidence of plaintiff. The plaintiff remained absent and due to absence, ld.Advocate Mr.L.V.Jotva submitted last report for adjournment to produce evidence at Exh.30 on 14/06/2017 and the same was granted with costs of Rs.250/- to be paid in D.L.S.A. and on next date of hearing and produce evidence. But the plaintiff of this suit neither pay the costs nor produce evidence. The suit has been pending, without any process due to absent of plaintiff. Looking to the record it transpires that the plaintiff remained absent since long time and it is not likely plaintiff remain present and to proceed further with the matter in near future. Hence, looking to the record, it seems that the plaintiff is not interested to proceed further with the matter. In view of the above facts and circumstances and in absence of plaintiff, this court has no option but to pass necessary order. Hence, I pass the following order in the interest of justice.

:- ORDER :-

- The present suit is hereby dismissed for default for want of process and in absence of plaintiff.

Signed and pronounced in open Court on 25th day of July, 2017.

Date : 25/07/2017

Place :Veraval

SIRAJUDDIN GANIBHAI MANSURI
Code GJ00603

Principal Sr.Civil Judge.
Gir-Somnath at Veraval.