

**Regular Civil Suit No.31/2009.****Order Below Exh.-01.**

That the present Regular Civil Suit was filed on dated 28/01/2009 for Cancellation of Sale-deed, Declaration and Permanent Injunction etc.

That the Record of the Case suggests that the Issues were framed vide Exh.-108 on dated 21/04/2017 and the Affidavite of Evidence of the Plaintiff Shri Virbai Aidaan Gadhavi was filed vide Exh.-119 on dated 05/08/2019 AND THEN the matter stood for cross examination of the Plaintiff. That till date AND as on TODAY as well the Plaintiff has failed to remain present before the Court.

That considering the age of litigation much more time is lost by the Plaintiff for to carry out the matter ahead on merits. That TODAY the Plaintiff has failed to make herself available for her cross examination under her Affidavite of Evidence vide Exh.-119 of dated 05/08/2019.

THUS the Plaintiff has remained negligent and disastrously failed to appear before the very Court for her cross examination AND ALSO that nothing is heard and submitted for and on behalf of the Plaintiff, this Court is left with no other option except to pass the following Order as a last resort to the better interest of justice :-

**-: ORDER :-**

That the present Regular Civil Suit vide No.31/2009 is ordered to be Dismissed for Default on the part of Plaintiff for Want of Evidence as per Order-17, Rule-02 read with Order-09 of the Code of Civil Procedure, 1908.

Place :- Nakhatrana.

Date :- 08/05/2026.

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**(R D. Kakkad)**

Additional Civil Judge,

Nakhatrana. **GJ-01237.**