

**Order below Exhibit 1 in  
Regular Civil Suit No. 15 of 2024.**

**[1]** Perused the record and proceedings. The matter is pending for appearance of the defendants.

**[2.1]** Considering the proceedings, from 03/02/2024, the matter is pending for same stage. The defendants have been duly served the summons for settlement of issues and show cause notices through RPAD. The window slips and track consignment of RPAD (status of service of RPAD) have been produced vide pursis at Exh.-10. As per the track consignment report of India Post, the process have been served on 25/01/2024 upon the defendants through RPAD.

**[2.2]** The defendants have also been served the notice by the Court Commissioner for preparation of *panchanama* and rough sketch (Map).

**[3.1]** The defendant No. 2 appeared himself on 28/03/2024 and filed an application at Exh.-13 for time to engage / contact the advocate. Then after, the said defendant No. 2 has neither appeared himself nor through his advocate. The defendant Nos. 1 and 3 have not appeared themselves or through their advocate after the date of service of process upon them. The defendant Nos. 1 & 3 have remained absence from the first due service.

**[3.2]** The defendants have filed R/Special Civil Application No. 3222 of 2024 before the Hon'ble High Court of Gujarat against the order passed below Exh.-6 in the suit on hand. That the defendants are well aware about the present suit. Even though due service of process, they have neither appeared themselves nor through their Ld. Adv. in the suit on hand.

**[4]** On calling out the defendants, neither the defendants themselves nor anyone on their behalf have appeared before the Court. Not only that, no report has also been filed on behalf of the defendants.

**[5]** In these circumstances, this Court is of the opinion that there is no option except to proceed ex parte against the defendants under Order-IX, Rule- 6(1)(a) and Rule-11 of the Civil Procedure Code, 1908. Hence, the following order is passed.

**-:: O R D E R ::-**

It is hereby ordered to proceed ex parte against the defendants under Order-IX, Rule- 6(1)(a) and Rule-11 of the Civil Procedure Code, 1908.

Pronounced in the open Court on this 29<sup>th</sup> day of June, 2024.

Halvad.

Date : 29/06/2024.

**(Anil Nanalal Gajjar)**  
Princilpal Senior Civil Judge,  
Halvad, Dist. Morbi. (GJ-01166)