

ORDER BELOW EXH.1 IN SPECIAL CIVIL SUIT NO.1/2018.

It appears from the record that since last so many adjournments, neither the plaintiffs' learned advocate nor the defendants' learned advocate have been attending the proceedings of the present suit. On the application Exh.65 moved by the plaintiffs, the witness-summons as prayed for in the said application, has been issued, as per the order dated 02-03-2023. The said witness-summons has been duly served upon the witness, however the witness did not remain present on the day mentioned in the witness-summons. Therefore, it was incumbent upon the plaintiffs to procure the presence of the witness, by submitting necessary application for issuance of bailable-warrant against the witness. However, as stated above, neither the plaintiffs nor their advocate has remained present in the present suit, nor has submitted any such application. Today also, though waited upto 5.45 p.m., none has remained present on behalf of the plaintiffs. Under these circumstances, I am of the view that the plaintiffs are not interested in proceeding further in the present. Hence, the present suit is hereby dismissed for default for want of prosecution on the part of the plaintiffs.

Place: Godhra.

Date: 21-09-2023.

[Hitesh Jayantilal Tanna]
Chief Judicial Magistrate & Additional
Senior Civil Judge, Godhra.
Judge Code: GJ00955.

**Self.*