

Received on - 06/01/2026
Registered on - 06/01/2026
Decided on - 09/03/2026
Duration - Y 0 M 2 D. 3



IN THE COURT OF PRINCIPAL CIVIL JUDGE, PALSANA

(Presided over by J.J.AHUJA)

SMST No. 13/2025

Order below Exh - 15

1) Sarjubhai Arjunbhai Patel ,

Proprietor of Urmi Marketing (A Proprietor firm)

Address : 70 to 74 Sardar Complex, Kadodara, Palsana, Surat

Mobile number. 9913622233

.....Plaintiff

Versus

1) Ritesh Vijaybhai Shah

2). Proprietor of Navkar Electronics

Address : B, 127/, Shurbhi tower, Vaibhav Cinema road,

Vyara, Tapi, Gujarat 394650

...Defendants

Appearance :-

Learned Advocate Shri R.K Shah for the Plaintiff :-

Ex- Parte

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:: J U D G M E N T ::

(Delivered on 09th , March, 2026)

1. This is a summary suit instituted vide Order XXXVII Rule 2 of the Code of Civil Procedure for recovery of outstanding amount against selling a electronics goods of Rs 2,11,372/- (In words Rs two lacs Eleven thousand three hundred seventy two rupees only) along with interest of **Rs. 53,478 (In words Rs Fifty three thousand four hundred seventy eight rupees only)** as per law.

2. Short facts giving rise to the suit are,

The plaintiff sale home appliances and electronics goods to the defendants. In the year 2024-2025 plaintiff sale total amount of Rs.12,03,522/- home appliances and electronics goods to defendants on credit.

Hence, total recovery of 2,61,372/- are pending from defendant . In this behalf plaintiffs issue notice on 07/10/2025 to the defendant for recovery of outstanding amount, after received notice defendants paid Rs.50,000/- on 08/10/2025 to the plaintiffs.

Thereafter, the defendant has not paid remaining outstanding of total amount of Rs. 2,11,372/- to the plaintiff, and payment being unpaid and thus the present Summary Suit with interest is filed for recovery.

3. Suit summons were issued in *Form No. 4* in *Appendix B* of the Code of Civil Procedure, 1908 which came to be duly served.

4. I have heard Shri R.K.Shah learned advocate for the plaintiffs. The defendants and their learned advocate is not present. The affidavit of the plaintiff at Exh 13 and documents are from Exh 12 are taken in to consideration. Furthermore as per the affidavit from the plaintiff side,

defendants paid another Rs.1,61,372/- from the remaining outstanding. 00Now as per the affidavit plaintiff claim remaining outstanding of Rs. 50,000/- with interest of **Rs. 53,478.**

6. Since neither the defendants nor her advocate present and they have failed to contest the matter. There is no leave filed to defend the suit. Therefore, there is no reason to believe the original documents filed on record in absence of any leave from the defendants. Thus, the plaintiff is entitled to recover the amount of **Rs 50,000/- (In words Rs Fifty thousand only)** from the defendant. The interest is mentioned in bill with 24%, but due to exact timing period not mentioning plaint as well as ledger account of paid amount, therefore the same is fixed at 06% per annum from the date of decree. In these circumstances, I pass the following order.

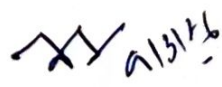
-: ORDER :-

1. The suit is partly decreed with costs.
2. The defendants shall pay the plaintiff an amount of **Rs 50,000/- (In words Rs Fifty thousand only)** along with interest of Rs 06 % per annum from the date of the decree.
3. Decree be drawn up accordingly.

Signed and pronounced in the open Court, today on this 09th day of March, 2026.

Date : 09-03-2026.

Place: Palsana


JITENDRA J. AHUJA
Principal Civil Judge
Palsana- Surat

GJ01436