**Special Civil Suit No.22/2018**

**:: Order Below Exhibit-255 ::**

1. Present adjournment application is filed by the Ld. Advcoate for the Defendant No. 5, 7 & 10. For other defendants, there is no mentioning by anyone. By this application Ld.Advocate for the said defendant sought an adjournment on the grounds mentioned in the same.

2. Present application is perused by the Court, in context of order passed by the Hon'ble Supreme Court expediting the matter and to dispose of the matter within one year from receipt of the certified copy of the order of the Hon'ble Supreme Court. Be it stated that, change of Advocate is not the ground to adjourn the matter. Same is repeatedly held by the Hon'ble Supreme Court in catena of the judgement.

3. It is a matter of surprise that, in first seating when Ld. Advocate for the defendant nos.5,7 & 10 were present and on request of the advocate of the plaintiff, this matter was kept in second seating. Same was intimated by this Court to the Advocate of the defendant No. 5, 7

& 10.    This Court is informed that Ld. Advocate left the Court premises without informing the Court. It is also the matter of surprise that colleague of Ld. Advocate Mr. R.R. Patel, Ld. Advocate Mr.V.A.Shah also did not remain present before the Court. None was available for Mr. R. R. Patel. Upon telephonic instruction passed to Mr.V.A.Shah, he remain present before the Court that too without uniform and tendered by this particular adjournment application.

4.    Being Officer of the Court, it is expected from the Ld. Advocate to remain present before the Court when matter is kept in second seating. Leaving the Court premises without mentioning or without informing the Court is not at all acceptable. Being Officer of the Court, it is expected from the Ld. Advocate to respond upon the call of the court. More particularly, when mater is required to be disposed of within stipulated time as ordered by the highest court of the country which the Hon'ble Supreme Court. Non co-operation would lead to believe that the Ld. Advocate for the defendants is not willing to carry out court proceedings on consonation with order passed by Hon'ble Supreme Court. Same conduct cannot be allowed in this suit wherein the suit is required to be disposed of within one year as per the order of the Hon'ble Supreme Court. This Court fails to understand that

how such lenient approach can be adopted by the Ld. Advocate which amount to surpassing order of the Hon'ble Supreme Court. Above discussion leads to believe that present application requires to be rejected.

5.  Needless to mention that none of the advocate on behalf of remaining defendant is present before the Court and subsequently right of the remaining defendant to carry out hearing and Exhibit-245 and to file reply of the Exhibit 249 is hereby closed.

**Order signed & pronounced on 22nd October, 2024.**

Place :- Savli                    **(Vikram Karsanbhai Solanki)**

Date  :- 22/10/2024                    Principal Senior Civil Judge

                                        Ta:- Savli, Dist: Vadodara

                                        Judge Code No.:-GJ-01099

*R. J. Chauhan*