

ORDER BELOW EXHIBIT – 1

Neither the plaintiff nor his learned advocate is present when the matter is called out. The present suit is pending for proceeding the matter on behalf of the plaintiff by submitting arguments for injunction application and further proceedings in the matter for long time. On perusal of the record of the case, it appears that the plaintiff or his learned advocate has not remained present for proceeding with the present suit. Even there is no submission on behalf of the plaintiff for proceeding with the suit. The plaintiff or his learned advocate has not remained present in the Court for long time. It appears that the plaintiff does not want to proceed with the suit and the plaintiff does not seem to have any interest in the present suit. Therefore, no alternative is left with the Court except to dismiss the present suit under Order IX Rule 3 of Code of Civil Procedure which provides that the suit shall be dismissed in case of non appearance of both the parties. In these circumstances, this Court passes the following order in the interest of justice:

FINAL ORDER

1. The suit of the plaintiff is hereby dismissed under Order IX Rule 3 of Civil Procedure Code.
2. No order as to costs.

Pronounced in open Court today on 31st of July, 2025.

Rajkot

Date: 31/07/2025

(Deepesh Mittal)
17th Additional Senior Civil Judge
Rajkot