

ORDER BELOW EXH. 1

The present suit was instituted by the plaintiff for declaration and permanent injunction. From the records, it appears that the suit was resisted by defendants. Thereafter, order below Exh. 5 was passed on 15.09.2008.

On the basis of pleading of the parties, court has framed issues on dated 30.07.2016. From the records, it appears the matter was kept for producing the evidence of plaintiff. In spite of giving number of opportunities, the plaintiff was not remaining present before the court for producing evidence. The Court has also issued a notice several time to plaintiff to remain present before the court for production of evidence. but it is returned unserved due to address change of plaintiff. it is duty of the plaintiff to remain present before this court. Today, matter was called out repeatedly, still neither plaintiff nor his advocate remained present before the Court and has not produced any evidence therefore, due to the absence of the plaintiff, and above such circumstances no option is left before this court that as the present suit is dismissed as dismiss for default.

Signed and pronounced in the open court today i.e. on 7th day of the month of January– 2020.

Date: - 07.01.2020

Place: - Surat.

Ronakben Saurabhbhai Shah
13th Addl. Sr. Civil Judge & Addl. CJM, Surat.
(Code No. GJ00941)