

Order Below **Exh.1** In Regular Suit No.364 of 2022.  
(Old Civil Suit No.118 of 2001)

**(Coram: -Mr.V.S.Dave, Judge.)**

Record reveals that issues were framed at Exh.47 on 04/12/2021. Thereafter, this matter is pending for evidence of the plaintiff. Thereafter, the plaintiff was given many adjournments. This Court has issued notice at exhs.37 to the plaintiff at exh.40 to the learned Advocate of the plaintiff. The L.A of the plaintiff has filed adjournment reports at exh.49, to Exh.54 which were granted by the Court. The L.A of the defendant has filed application at exh.55 to dismiss this suit. Today, when called out repeatedly, the plaintiff's learned advocate has remained present and adjournment report is filed at exh.56 which was rejected. Looking to the record, the matter is very old i.e. year 2001 and pending since long for evidence of the plaintiff and this Court cannot wait for indefinite period. Hence, this suit is hereby dismissed for default under O.9 R.3 of The C.P.Code. No order as to costs.

Pronounced in the open Court on this 05<sup>th</sup> day of October, 2024.

**(Virendra Shashikantbhai Dave)**

Judge, (Code No.GJ01138)

Small Cause Court No.2

Ahmedabad.

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