

(1)

RCS NO. 909 of 2017

Registered on	28/11/17
Decided on	19/05/18
Duration	Y- M- D-
EX.	34

**IN THE COURT OF ADDITIONAL DISTRICT JUDGE,
AT : JAMNAGAR.**

Regular Civil Suit No. 909 of 2017

Paschim Gujarat Vij Company Limited,
Through : Deputy Engineer,
Nikava, Sub-Division,
Dist. Jamnagar

... .. Plaintiff

V E R S U S

Bachugiri Kashigiri Goswami,
R/o Kharedi, Taluka : Kalavad,
District : Jamnagar.

... .. Defendant

Subject :- Suit to recover Rs. 10,025.35 ps with interest.
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APPEARANCE :-

Shri P.P.Parmar / A.D.Nanda, learned advocate for the Plaintiff.

Ex-parte for the Defendant.

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

(1) The plaintiff has filed present suit against the defendants for the recovery of Rs.10,025.35 ps with 18% interest and cost of the suit accordingly.

(2) The suit of the plaintiff is that plaintiff is a registered Company under the Companies Act and signatory is legal authorized

and entitled to file the present suit. As on 7th December 2016 the authorized Officers of plaintiff's Company went on the premises of defendant and checked the electric appliances and power supply. It is found on checking that defendant is registered customer of Company and it appears that defendant was dishonestly and illegally consumed the energy-electricity from the service line of plaintiff and he was caught red-handed. Hence, supplementary bill was issued and other procedural forms were also filled-up at the premises of defendant. The notice was issued to defendant but defendant did not care to pay theft amount of electricity to the plaintiff. Hence suit.

(3) The Summons was duly served upon the defendant (Exhibit 5) but defendant did not turned to the Court. Hence, case is proceeded ex-parte against the defendant accordingly. The Court has gone through the pleadings as well as the documentary evidences placed by the plaintiff at Exhibit 9 to 32, especially Checking Sheet at Exh.16, Bill at Ex.21, and Notice at Ex.20. Heard, the learned advocate Ms. P. P. Parmar, for the plaintiff.

(4) On perusal pleadings with documentary evidences of plaintiff at Exhibit 9 to 32 with Checking Sheet at Exh.16 Bill at Ex.21 and Notice at Ex.20 and supporting affidavit of plaintiff at Ex.7. It transpires to the Court that the case is proceeded ex-parte against the defendant and defendant has not care to appear before the Court and to take legal defence under Order 8 of the Civil Procedure Code. Hence, in the absence of any defence from the defendant's side, the Court has no hesitation to accept the supporting affidavit of plaintiff at Ex.7 alongwith documentary evidences at Exhibit 9 to 32

:-: ORDER :-:

- Pronounced in the open Court today on this 19th day of May. 2018.

Date :19/05/2018. **(PANKAJKUMAR CHANDRAKANT RAVAL)**
Place : Jamnagar. Additional District Judge,
Jamnagar.
(Code No.GJ00402)