

Order below exh. 1.

Today, the matter is kept for recording of evidence for the plaintiff. Today, neither the plaintiff nor his advocate are present till 17.30 p.m., or have not given any application seeking time to produced the evidence. Leaned advocate for the defendant is present before this court.

Considering the record of proceedings, it appears that, the issues are framed vide exh. 10 on 01.07.2016 and since, then the matter is pending for recording of evidence of the plaintiff. However, the plaintiff was not appearing before this court, and hence, this court has issued notice to him, which was duly served upon him, which is on record vide exh. 14. Thereafter, ld. Advocate for the plaintiff has appeared and preferred an application on 17.06.2017 vide exh. 15, seeking time to produced evidence, which was allowed by this court. Thereafter, inspite of granting many opportunities to the plaintiff, till today, neither the plaintiff

Date: 16/01/2017
Place:- Jamnagar

(Mr. Hiteshkumar Mukundray Vyas)
6th Addl. Sr. Civil Judge, Jamnagar.
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nor his advocate have appeared or have not given any application seeking time to produced the evidence. Hence, in continuous absence of the plaintiff as well as for non production of evidence by the plaintiff, the matter could not be proceeded further. Further, looking to the circumstances, it appears that, there is no reasons to give any further chance to the plaintiff and hence, considering the factual aspect of the case as well as provision O.17, R-2 R/w O.9, R-8 of The Code of Civil Procedure, 1908, following order is passed,

ORDER

1. In view of the provisions of O.17, R-2 R/w O.9, R-8 of The Code of Civil Procedure, 1908 as well as continuous absence of the plaintiff and for non production of evidence by the plaintiff, the suit stands disposed.
2. No order as to costs.

Order passed and pronounced in Open court on
this 16th day of January, 2017.

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