

GJVD020531792023



**IN THE COURT OF 7TH ADDITIONAL CIVIL
JUDGE, AT VADODARA.**

Civil Misc. Application No. :- 402 of 2023

:: Order Below Exhibit - 01 ::

The present case on hand has been transferred to this Court vide Office Order No. Civil/440/2025 of District Court, Vadodara. Looking to the record of the case, it appears that the present application has been instituted to restore the Regular Civil Suit No. 2891 of 2015, which came to Dismissed for Default on the ground of consistent absence of the plaintiff i.e. applicant of the present application. However, in the present case also, it is to be noted that neither the applicant nor Ld. Advocate on her behalf has remained present before this Court for furtherance of the present application since transfer of the instant case to this Court. That the matter was adjourned in the larger interest of justice for multiple times with a view to provide opportunity to the present applicant. However, she has failed to do so. Therefore, this Court had ordered to issue a notice to the applicant as well as her Ld. Advocate on record vide an order dated 28.04.2026. However, the notice to the applicant is returned vide Exhibit 21 with an endorsement that the residential house of the applicant was in closed condition and no information was obtained regarding her whereabouts upon

inquiries. That the notice to the Ld. Advocate for the applicant on record also returned vide Exhibit 22 with an endorsement that he is no longer an Advocate appearing for the present applicant in the instant case. Moreover, it appears that the applicant has been given sufficient opportunities to remain present before this Court for furtherance of the present application. However, neither the applicant nor Ld. Advocate on her behalf has appeared before the Court. Even today, despite being called out, neither the applicant nor Ld. Advocate on her behalf has remained present before the Court, and neither any report nor representation has been made out before this Court. Further, it is clear from the face of the record that the applicant has not appeared before this Court since transfer of the case i.e. 13.06.2025 and the matter has been adjourned for considerable period. Therefore, when the applicant herself has not remained present before this Court for furtherance of the instant case since considerable period of time and no representation has been made on her behalf and as the case is pending on the very initial stage for a long time, it clearly appears that the applicant has no interest to proceed further with her own case and she has shown no seriousness towards the judicial procedure. Hence, due to the applicant's absence, persistent non-compliance, the present application is hereby ordered to be **"DISMISSED FOR DEFAULT"**.

Pronounced & signed in the open Court today on this 14th day of July, 2026.

Sd/-

Place :- Vadodara

(Ms. Leena Maheshbhai Parmar)

Date :- 14/07/2026

7th Additional Civil Judge,

Vadodara

GJ - 01705.