

ORDER BELOW EXHIBIT NO. 1

1. Plaintiffs and their advocate absent when called out repeatedly. It appears from the Roznama that suit was dismissed for default on 14-1-2011. On the very same day suit is restored as per the request of the plaintiff. On 18-3-2011 application for appointment of commissioner was filed at ext.32, same was allowed. Commissioner has submitted his report at ext.36. None of the parties have filed their say, matter proceeded further. As per order below ext.1dt.31-8-2012 suit was posted for dismissal order. On 19-10-2012 at ext.40 plaintiff filed his affidavit in lieu of examination-in-chief. Thereafter till today plaintiff is remained absent for cross examination. Considering the absentee of the plaintiffs, it appears that he has no interest to proceed with the suit. Hence only for the convenience of the plaintiff suit cannot be kept pending. Accordingly suit is dismissed for want of prosecution. No order as to costs.

Dt/-14-03-2013.

Sd/-
(S.V.Joshi)
Civil Judge,J.D.Lohara.