

ORDER BELOW EXH.3

**CORAM: NIRAV R. VYAS. JUDGE.**

*[1] Present suit is originally instituted in the Year 2022. It seems from the record that the present matter is pending for the service of notice to sole defendant. Further, it transpires from the record that this court has issued notice and the service was allowed through RPAD as per the order passed below exh.13. However, the envelop with such notice returned with endorsement “left” on dated 30.12.2024 since then the matter is at the stage providing a fresh address of defendant.*

*[2] It transpires from the record that Plaintiff has not bothered to produce a fresh address of defendant till today, nor tendered any application for adjournment.*

*[3] On considering the above stated factual aspects of the case as well as the Roj-kam, it transpires that since last many adjournments neither Plaintiff nor their Advocate intend to proceed further before this Court. Today; as well neither address of defendant nor relevant application is tendered. It shows that now Plaintiff has no further interest in present litigation. Moreover, proceedings of this suit cannot be preceded further in continuous absence of Plaintiff & therefore; by considering throughout non-representation of Plaintiff*

during the whole day and the provisions of O.09 R.05 of the Code Of Civil Procedure, I pass following order in the interest of justice.

**-::: ORDER :::**

[1] In view of the provisions of O.09 R.05 of the Code Of Civil Procedure;1908, the present suit stands disposed of for want of further proceedings by Plaintiff.

[2] No costs.

Pronounced in the open Court today on Dated 07<sup>th</sup> of month **April** of the Year **2025**.

Date : 07.04.2025.

**(Nirav R. Vyas)**  
Judge;  
Court No.8;  
Ahmedabad.  
**GJ01060.**