

Order below Exh. 1

Looking to the paper on record, This execution petition has been filed by the P.G.V.C.L. and it is pending more than six months. After filing this application court has issued Summons/Notice as per the provision of CPC. It is clear that on the basis of returned Summons/Notice the **judgment debtor is not found** on that address in this situation the judgement holder failed to securing presence of judgement debtor.

Thereafter, the **matter is pending for new address** of judgment debtor since long time. Several adjournments have been granted to the decree holder for producing new address of judgment debtor but the decree holder failed to **produce new address of judgment debtor till date.**

Therefore, it appears that decree holder is not interested to proceed further with this application. Today the Ld. advocade of the petitioner orally requesting for adjournment but as per the ratio laid down by the **Hon'ble Supreme Court in case of Periyamml (dead) Through LRS and other Vs. V. Rajamani and another etc. The Hon'ble Supreme Court given direction to the expidious disposal of execution petition within a period of six month** and therefore looking to the matter on hand this matter is pending more than six month and suffiesient oppornitiny already given to the petitiner, therefore there is no reason to extend or give more time to the petitioner. Hence as per the provision of The Code of Civil Procedur, 1908 Order XXI Rule-105, I pass the following order in the interest of justice.

-:: O R D E R ::-

This execution petition is hereby dismissed for default.

No order as to cost.

Signed and pronounced in open Court today.

Date : 19/04/2025
Place : Rajkot.

(C. P. Charan)
Judge,
Small Cause Court, Rajkot
(GJ01483)