

Order Below Ex- 1.

Having perused the records and proceedings, it appears that, Issues has been framed at Ex-15 on 20-01-2024, Plaintiff filed examination of chief affidavit on 16-03-2024, thereafter matter was adjourned on several occasions and sufficient opportunities have been given to the plaintiff to remain present for cross-examination but plaintiff fails to remain present before the court for producing evidences. Even though court has adjourned case on *20-04-24, 03-05-24, 04-07-24, 20-07-24, 31-07-24, 10-09-24, 19-10-24, 19-12-24, 20-01-25, 14-02-25 and 26-03-25* for cross examination of the plaintiff. Neither plaintiff nor his advocate remains present today hence the affidavit of chief examination was discarded from the record. Neither the plaintiff nor his advocate remains present when the matter called out at first sitting, second sitting and at the time of rising of the court. Further, looking to the records and proceedings of the suit the present suit is old one hence, it appears that, plaintiff is not having interest to proceed with the matter. Under these circumstances the suit is required to be dismissed for default of the

plaintiff under O – IX, Rule – 3 of the Code of Civil Procedure. Hence,
the suit is dismissed for default.

Pronounced in Open Court today on 26th March, 2025.

Date: - 26/03/2025
Bhavnagar.

(Joy S. Mehta)
(4th Addl. Sr. Civil Judge)
Bhavnagar
UIC-GJ-01094