

**M.S. No. 01/2021**  
**19/07/2022**

The plaintiff is represented by learned counsel.

The defendant is also represented by learned counsel.

The plaintiff filed a petition vide No. 980/22 under Order IX Rule 7 r/w Sec. 151 of CPC. It is found that due to default of the plaintiff in last two consecutive dates, the case was posted for ex-parte hearing due to mistake, which ought to have been fixed for necessary order for dismissal for default.

Hence, the present petition filed under Order IX Rule 7 is not appropriate and not required.

The case was at the stage of framing of Issue.

The learned counsel for the plaintiff submitted that there is no scope for settlement case through ADR as per Section 89 CPC. Hence, the case is not sent for ADR.

Issues are settled and framed which shall form part of the case record.

Fix- 10-08-2022 for list of witness and evidence.