

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

APPEAL SUIT No.40 OF 2008

JUDGMENT:

When the matter was called on 30.01.2018, there was no representation for the appellant. By recording the same and, since, learned counsel for respondent Nos.1 and 3 was present, the Registry was directed to list the matter under the caption 'for dismissal'.

2. Today also, when the matter is called, there is no representation for the sole appellant.

3. Learned counsel for respondent Nos.1 and 3 is present.

4. It appears that the appellant is not interested in prosecuting the present appeal.

5. In fact, the present appeal was dismissed against respondent Nos.2, 4 and 5 for default on 25.04.2016. No steps were pursued by the appellant to get the said dismissal order set aside.

6. Therefore, the present appeal is dismissed for non-prosecution.

Miscellaneous Petitions, if any, pending in this appeal shall stand closed. There shall be no order as to costs.

A. SHANKAR NARAYANA, J

February 01, 2018.
MD