



C.M.P.Nos.5384 to 5386 of 2018
in
A.S.No.515 of 2010

RMT.TEEKAA RAMAN,J.,

Initially C.M.P.Nos.5384 to 5386 of 2018 were filed for restoration of the Appeal Suit, which was dismissed for non - prosecution on 05.09.2019. Petitions to condone the delay of 2041 days in filing the petition under Section 5 of the Limitation Act to set aside the abatement caused due to the death of the respondent and to bring the legal representatives namely C.M.P.Nos.5384 to 5386 of 2018 were filed.

2. On 09.12.2019, this Court passed an order stating that since the petitioner was continuously absent, the case was dismissed for non-prosecution. It was later allowed on 27.04.2022. Petitions that were dismissed for default were restored. I found that A.S.No.515 of 2010 was dismissed for non-prosecution on 05.09.2019, and the petition to restore the appeal, which was dismissed for default was subsequently allowed. After setting aside the order of dismissal, the original application to bring the legal representatives on record was restored to file.

3. The learned counsel for the respondent is absent.

4. The learned counsel for the petitioner is continuously absent, hence I find that the petitioner is not interested in prosecute the case.

RMT.TEEKAA RAMAN,J.,



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5. Accordingly, all C.M.Ps are dismissed for default once again.

26.06.2024

nvi

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