

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.08.2022**

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

A.S(MD)No.5 of 2012
and
M.P(MD)No.1 of 2013

Philip Abraham :Appellant/Defendant

.vs.

Bhadhighteen Ahmed :Respondent/Plaintiff

PRAYER: First Appeal filed under Section 96 of the Civil Procedure Code against the judgment and decree made in O.S.No.131 of 2009, dated 29.07.2011, on the file of I Additional District Judge, Tirunelveli.

For Appellant :Mr.D.Sivaraman
for M/s.Rajnish Pathiyil

For Respondent :Mr.M.Gururaj

JUDGMENT

In the earlier hearing dates, ie., on 20.06.2022 and 07.07.2022, at the request of the learned counsel for the appellant, the matter was adjourned to the next hearing date with an endorsement stating that "No further adjournment will be given"

and lastly adjourned to today(04.08.2022). When the matter is taken up for hearing today, though the learned counsel for the appellant is present before this Court, he is not ready to argue this appeal. This shows that the learned counsel is not interested in prosecuting the appeal suit. Hence this Court has no other option except to dismiss the appeal suit for non-prosecution. Therefore the Appeal Suit is dismissed for non-prosecution. No costs. Consequently, connected Miscellaneous Petition is dismissed.

04.08.2022

Index:Yes/No

Internet:Yes/No

vsn

To

- 1.The I Additional District Judge,
Tirunelveli.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

P.VELMURUGAN.,J.

vsn

JUDGMENT MADE IN
A.S(MD)No.5 of 2012
and
M.P(MD)No.1 of 2013

04.08.2022