

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

APPEAL SUIT No. 418 OF 2007

JUDGMENT:

Challenge in this Appeal Suit is the judgment that is rendered by the Court of the I Additional District Judge, Mahabubnagar, in O.S.No. 12 of 2005 dated 02.06.2007.

2. Sri Mohd.Basheer, representing Ms.B.Rachana, learned counsel on record for the appellant, seeks time.

3. On the other hand, the submission of learned counsel appearing for the respondents is that the appellant is not evincing any interest in the Appeal and, therefore, the Appeal is pending since 2007.

4. Record discloses justification in the said submission. Basing on the submission of the learned counsel for the appellant and seeking of time, the matter stood adjourned several times. In the recent past, at request of the learned counsel for the appellant, the matter is listed on 03.11.2022, thereafter, on 15.11.2022, 20.12.2022, 03.01.2023 and 06.01.2023. On 06.01.2023, basing on the representation of Ms.Mounika, learned counsel, who represented Ms.B.Rachana,

learned counsel on record for the appellant, that she is handicapped with the bundle, the matter stood adjourned to this day, however, on payment of costs. Again on this day, time is sought. No convincing reason is stated as to why the matter has to be adjourned again. Learned counsel, who represented the matter on this day, states that the appellant could not be contacted. All these factors strengthen the submission of the learned counsel for the respondents that the appellant is not evincing any kind of interest in the Appeal.

5. Therefore, the Appeal Suit stands dismissed for non-prosecution. No order as to costs.

6. As a sequel, pending Miscellaneous Applications, if any, shall stand closed.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 10.01.2023

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