

Plaintiffs are absent. Ld. counsel for the defendant submits to dismiss the suit. K/by

Case is again called at 3.30 p.m. plaintiffs are absent. K/by

Inspite of directions, the plaintiffs have not appeared before the court. The suit against defendant No 1 to 3, 7 and 8 has been dismissed for default. This shows that the plaintiffs are not interested in prosecuting the case. The Ld. Counsel appearing for plaintiff has retired by giving notice to the parties. In Lachman das V/s Food corporation of India (2007) 146 PLR 391, it is observed that there is no provision in CPC for giving fresh notice to party. Thus it was for the plaintiffs to appear before the court and prosecute the case.

There is no counter claim is filed. There are no reasons to keep the case pending.

Hence, the suit is dismissed for non prosecution.

**Civil Judge and JMFC,
Siruguppa**