

The learned counsel for the plaintiffs has filed a memo seeking permission to retire from the case. Along with the memo, a copy of the notice issued to the plaintiffs and the postal acknowledgment have been produced, which disclose that the notice has been duly served on the plaintiffs. Despite service of notice, the plaintiffs have neither contacted their counsel nor appeared before the Court nor furnished any further instructions.

The plaintiffs are absent. On perusal of the order sheet, it is seen that the case was posted for the plaintiffs evidence. Despite sufficient opportunities, the plaintiffs have neither appeared before the Court nor adduced any evidence.

It is further seen from the records that plaintiff No. 3 has been reported dead and the legal representatives have not been brought on record within the period prescribed by law. Consequently, the suit, insofar as plaintiff No. 3 is concerned, stands abated.

The above circumstances clearly indicate that the plaintiffs are not interested in prosecuting the suit. Therefore, no useful purpose would be served by keeping the matter pending.

*Accordingly, the suit is **dismissed for non-prosecution**.*

Sd/-

**Prl. Senior Civil Judge & J.M.F.C
Devanahalli.**