

### **ORDERS ON .I.A No. 9**

Learned Counsel for the Defendant has filed I. A No. 9 under section 10 of C.P.C praying to stay the further proceedings of this suit until disposal of the **RSA No. 139/2015**. The application came to be filed on 29.01.2014. The learned Counsel for the Plaintiff has filed statement of objection.

2. This Court perused the status of RSA No. 139/2015 which is available on the website of Hon'ble High Court of Karnataka. Upon perusal, it came to know that, the RSA No. 139/2015 came to be dismissed on 25.10.2024 with following observations.

"Appeal was dismissed by Order dated 25.01.2021 for non-compliance of office objections. Thereafter, appeal was restored on application for recalling said Order, Even, thereafter,

office objections have not been complied despite grant of sufficient opportunity. None appears for the appellant. This would indicate appellant not diligent in prosecuting the appeal. Hence, appeal is **dismissed** for non - prosecution on cost of Rs.5,000/- (Rupees Five Thousand) payable to Chief Minister' Relief Fund."

3. In view of the dismissal of the RSA NO. 139/2015, the I.A No. 9 does not survive for consideration. Accordingly, I.A No. 9 is dismissed.

To hear on I.A No.1 by:  
6.12.2024.

Sd/-

III ACJ and JMFC Kadur.