

Neither the plaintiff nor her counsel are present today

This suit is pending since four years, and none is present even today in spite of repeated calls since morning.

The perusal of the order sheet reflects that on the previous hearing a proxy counsel SSM appeared and sought time to keep PW1 present before the court for cross examination. However, in the interest of justice, one last and final opportunity was extended by this court to the plaintiff to tender herself for cross-examination of next date of hearing without fail. It was specifically noted that in case of default, the evidence of plaintiff i.e., PW1 will be expunged and suit will be dismissed for non prosecution.

Though the matter was adjourned on the last occasion as per the choice and convenience of the counsels and parties they remained ab-

sent. It is also noted that already ample adjournments had been sought on the personal grounds of the plaintiff. There is no further scope to adjourn this matter any further.

The record shows that plaintiff filed this suit with an intention only to harass the defendants, and had no intention to tender herself for cross examination. There is no reason to keep this suit pending on the Board any further. As such, the evidence of PW1 is expunged, there is no evidence on record and suit is being dismissed for non-prosecution subject to cost of Rs. 1,000/-.

File be consigned to Record Room.

(NATARAJ YADAV.S)
Senior Civil Judge & J.M.F.C
H.D. Kote.