

KABGD00030262022



Case called out. Plaintiff absent. Advocate for plaintiff prayed to pass over the file. Hence, kept by. The case again called at 2nd round. The plaintiff and his counsel are absent. Again the case called at afternoon session at 4-00 p.m. Then also, the plaintiff and his counsel are absent. As can be seen from the order sheet and materials available on record, the present suit is filed for partition. Though the defendants have appeared before the court, have not filed their written statement. Thus, the suit is posted for plaintiff's evidence on 16-2-2023. In spite of granting of 05 adjournments and even by imposing cost, the plaintiff is least bother to appear before the court and to lead his evidence. The counsel for the plaintiff himself submitted to pass over the file. But later, he is not representing the case. The conduct of the plaintiff and his counsel discloses that the plaintiff is not interested in prosecuting the case. Thus, this court opines that it is meaningless to keep on posting the matter for plaintiff's evidence besides it will waste the precious time of this court. Therefore, the suit is dismissed for non prosecution.

Sd/-

PCJ & JMFC, Sankeshwar.