



J.NISHA BANU, J.

This Court by its earlier order dated 28.07.2021 made it clear that if steps are not taken to bring on record the legal representatives of the deceased first respondent before the next hearing date, the Second Appeal shall stand automatically dismissed for non-prosecution as against the first respondent and thereafter, the matter was listed on 19.08.2021.

2.When the matter was taken up for hearing on 19.08.2021, since steps have not been taken to bring on record the legal representatives of the deceased first respondent, the Second Appeal was dismissed for non-prosecution as against the first respondent and thereafter, the matter was listed on 17.09.2021.

3.When the matter was taken up for hearing on 17.09.2021, it was represented by the learned counsel for the appellant that the legal heirs of the deceased first respondent are already on record and she requested time to file a memo in this regard and thereafter, the matter was listed on 08.10.2021. No such memo has been filed till date.

4.When the matter was taken up for hearing on 08.10.2021, learned counsel for the appellant sought time, again the matter was listed after four weeks.

5.When the matter was taken up for hearing on 09.11.2021, it was submitted by the learned counsel for the appellant that the LR petitions are pending in the Registry in S.R.Nos.91316 to 91318 of 2021 and the Registry was directed to number the applications if it is otherwise in order and listed the matter on 23.11.2021.

6.Learned counsel for the appellant would seek short accommodation to get instructions. Post the matter on 03.01.2022.

23.12.2021

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S.A.No.683 of 2007

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