

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CCCAMP.No.78 of 2015

In/and

CCCA.No.264 of 2007

Date:02.04.2015

Between:

M/s Zeenath Medical Hall, Hyderabad,
Reptd by its Mg.Partner-Shaik Mohd. Aziz

.....Applicant/

Appellant

And:

State Bank of India, King Koti Branch,
Hyderabad, reptd by its Branch Manager
and three others.

...Respondents

Counsel for the applicant/appellant: Sri R.Harish Kumar
for Sri Challa Gunaranjan

Counsel for Respondent No.1: Ms K.Jayasree
for Sri K.V.Subrahmanya Narsu

The Court made the following:

COMMON ORDER:

CCCA.No.264 of 2007 arises out of judgment and decree, dated 30.04.2007, in O.S.No.2169 of 2002 on the file of the learned II Senior Civil Judge, City Civil Court, Hyderabad.

The appellant has filed CCCAMP.No.78 of 2015 for closing the appeal in pursuance of award, dated 06.12.2014, recorded before the Second National Lok Adalat Bench, City Civil Court Legal Services Authority, Nyaya Seva Sadan, Hyderabad in Bank Pre-Litigation Case No.6024 of 2014 and permit respondent No.1-Bank to withdraw the amount of Rs.1 lakh deposited in the suit account, vide Treasury Challan No.Ch5310, dated 25.10.2007. Along with this application, the applicant has filed a copy of the award, dated 06.12.2014, in Bank Pre-Litigation Case No.6024 of 2014 of the Second National Lok Adalat Bench, Hyderabad. A perusal of this award shows that the applicant-appellant has paid Rs.25,000/- on 05.12.2014 and has agreed to pay the remaining sum of Rs.83,000/- to respondent No.1 in one lump sum on 31.12.2014.

At the hearing, Ms K.Jayasree, learned counsel representing Sri K.V.Subrahmanya Narusu, learned counsel for respondent No.1-Bank, has admitted the submission of Sri R.Harish Kumar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the applicant/appellant, that the balance amount as agreed under the above-mentioned award has been paid by the applicant. She has also admitted that in pursuance of the conditional interim order granted by this Court on 18.09.2007, in the appeal, the applicant has deposited a sum of Rs.1 lakh which is lying in the credit of the suit in the lower Court.

In view of the settlement of the dispute between the parties as noted above, CCCAMP.No.78 of 2015 is allowed and CCCA.No.264 of 2007 is dismissed as settled out of Court. Respondent No.1-Bank is permitted to withdraw the sum of Rs.1 lakh referred to above from the said Court.

As a sequel to dismissal of the appeal, interim order, dated 18.09.2007, is vacated and CCCAMP.Nos.708 of 2007 and 395 of 2010 are dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

02nd April, 2015

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