

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

C.M.A.No.295 of 2008

JUDGMENT:-

This Civil Miscellaneous Appeal, under Order XLIII of C.P.C., is filed by the appellant/petitioner, assailing the order dated 11.08.2007 of the learned IV Additional District Judge – cum – Motor Accidents Claims Tribunal, Kurnool, passed in P.O.P.No.10 of 2005, whereby, the petitioner's request to sue as an indigent person for preferring appeal against the decree and judgment dated 19.07.2005 of the learned Principal Senior Civil Judge, Kurnool, passed in O.S.No.125 of 2004 was rejected.

2. Today when the matter is taken up, learned counsel for the appellant submits that the sole appellant had died and, therefore, the appeal may be dismissed as abated as no cause survives for adjudication.

3. Recording the said submission of the learned counsel for the appellant, the Civil Miscellaneous Appeal is dismissed as infructuous. There shall be no order as to costs. Miscellaneous petitions pending, if any, in this appeal shall stand dismissed.

M. Seetharama Murti, J

22nd June, 2015
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