

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

APPEAL SUIT No. 2391 OF 1998

JUDGMENT:

On 05.08.2015, Sri N. Pramod, learned counsel for the plaintiff-respondent, reported that Sri C. Pattabhi Naidu, learned counsel for the defendants-appellants, is no more and at his request, notices sent to the to the appellants by registered post with acknowledgment due were returned as 'unclaimed', as per the endorsement on the notices. Though intimation was given about the notices and kept those notices in deposit for 4 days, the appellants did not claim the notices; therefore, it is a deemed service under Section 27 of the General Clauses Act, 1897. Hence, the Appeal Suit is liable to be dismissed.

Accordingly, the Appeal Suit is dismissed for non-prosecution.

In consequence, miscellaneous petitions, if any, pending in this Appeal, shall stand dismissed. No order as to costs.

**M. SATYANARAYANA MURTHY,
J**

Date: 10.09.2015.
Dsh

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