

HON'BLE SRI JUSTICE R. SUBHASH REDDY

AND

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

FAMILY COURT APPEAL No.162 OF 2005

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JUDGMENT: (Per Justice R. Subhash Reddy)

This appeal, under Section 19 (V) of the Family Courts Act, is filed by the petitioner in O.P.No.89 of 2001, aggrieved by the common order and decree dated 16.11.2002 passed in O.P.Nos.89 of 2001 and 58 of 2002.

The respondent herein filed O.P.No.89 of 2001 under Section 13 (i) (ia) of the Hindu Marriage Act against the appellant herein seeking dissolution of marriage, whereas the appellant herein filed O.P.No.58 of 2002 under Section 9 of the Act, against the respondent herein, seeking restitution of conjugal rights. The Family Court, by common order dated 16.11.2002, while allowing the O.P., filed by the respondent herein and ordering dissolution of marriage, dismissed the O.P., filed by the appellant herein.

As much as the counsel on record for the appellant, Sri D.S.R. Krishna, has expired during the pendency of the appeal, Registry was directed to issue notice to the appellant. Registry has put up an office note dated 15.04.2015 stating that though notice has been sent to the appellant by registered letter on 04.02.2015, neither acknowledgment nor un-served cover has been received and no information is also available in the web portal of the postal department.

The name of the junior counsel on record for the appellant is printed. In spite of the same, there is no representation on behalf of the appellant when the matter is taken up for hearing.

In that view of the matter, this appeal is dismissed for non-prosecution.

As a sequel, miscellaneous petitions if any pending in the appeal stand closed.

R. SUBHASH REDDY, J

SHANKAR NARAYANA, J

A.

3rd June, 2015

MRR