

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

APPEAL SUIT No. 462 of 2006

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JUDGMENT:

When the matter is listed today under the caption 'for being mentioned', Sri K.Gangi Reddy, learned counsel for the second appellant, filed a memo stating that the first appellant died on 08.11.2012 and no steps were taken to bring the legal heirs of first appellant on record, as such, the Appeal Suit against the first appellant is abated by operation of law.

2. It is also brought to the notice of this court that in the earlier order dated 21.07.2015 passed by this Court, the Appeal Suit was dismissed as withdrawn, as the appellants filed a letter dated 01.07.2015 in the Registry seeking permission of this Court to withdraw the appeal suit. A perusal of the said letter shows that it was filed by the learned counsel for second appellant only.

3. Upon considering the same, the earlier order passed by this court dated 21.07.2015, is hereby recalled. In view of the memo filed by the learned counsel for second appellant, the Appeal Suit is dismissed as abated against the first appellant and dismissed as withdrawn against the second appellant.

4. Miscellaneous Petitions, if any, pending in the Appeal shall stand closed.

M.SATYANARAYANA MURTHY, J

Date: 31.07.2015

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