

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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A.S.M.P.No.2017 OF 2015

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A.S.NO.350 OF 2015

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JUDGMENT:

A.S.M.P.No.2017 of 2015 is filed under Order XXIII Rule-1 of Civil Procedure Code seeking permission to withdraw the appeal.

When the petitioner is seeking liberty to file fresh proceedings on the same cause of action, the petition is required under Order XXIII Rule-1 of Civil Procedure Code, but when the petitioner is seeking permission to withdraw the appeal due to compromise, no petition is necessary. However, in view of the facts stated in the accompanying affidavit, I find that it is a fit case to permit the petitioner to withdraw the appeal due to settlement outside the court.

Hence, the appeal is dismissed as withdrawn. Miscellaneous petitions, if any, pending in this appeal shall stand closed. No costs.

M.SATYANARAYANA MURTHY, J

Date: 23.09.2015

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