

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

C.M.A.No.1037 of 2014

Date : 20-1-2015

Between :

Mohd. Mahmood Ali

..

Appellant

And

Lateef Hussain and others

..

Respondents

Counsel for appellant : Mr. Meherchand Nori

Counsel for respondents : Mr. P. Radhive Reddy

for Mr. S. Abhay Kumar

Sagar

The Court made the following:

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ORDER:

This Civil Miscellaneous Appeal arises out of order dated 16-9-2014 in I.A.No.799 of 2014 in O.S.No.61 of 2014 on the file of the learned Special Judge for trial of offences under the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989-cum-V Additional District & Sessions Judge, Medak at Sangareddy.

At the hearing, Mr. Meherchand Nori, learned counsel for the appellant, submitted that in view of an unintentional mistake committed by his client in filing the above mentioned suit out of which the present Civil Miscellaneous Appeal arises, he may be permitted to withdraw the Civil Miscellaneous Appeal as well as the said suit, without prejudice to his right to pursue O.S.No.39 of 2014 pending in the court of the learned Junior Civil Judge, Zaheerabad.

Mr. P. Radhive Reddy, learned counsel representing Mr. S. Abhay Kumar Sagar, learned counsel for the respondents, fairly conceded that his clients have no objection for the appellant withdrawing the Civil Miscellaneous Appeal as well as O.S.No.61 of 2014 with

liberty to the appellant to pursue O.S.No.39 of 2014.

In the light of the above submissions of the learned counsel for the parties, the present Civil Miscellaneous Appeal as well as O.S.No.61 of 2014 on the file of the learned Special Judge for trial of offences under the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989-cum-V Additional District & Sessions Judge, Medak at Sangareddy, are dismissed as withdrawn, without prejudice to the right of the appellant to pursue O.S.No.39 of 2014 pending on the file of the learned Junior Civil Judge, Zaheerabad.

As a sequel to the dismissal of the Civil Miscellaneous Appeal, CMAMP No.1709 of 2014 filed for interim relief is dismissed as infructuous.

Justice C.V. Nagarjuna Reddy

Date : 20-1-2015

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