

**THE HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
THE HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO**

CMA.No.375 of 2004

JUDGMENT: (*Per Hon'ble Sri Justice R. Subhash Reddy*)

This appeal, under Section 28 of the Hindu Marriage Act, 1955 is filed aggrieved by the order, dated 22.08.2003, in O.P.No.81 of 1995 passed by the learned Senior Civil Judge, Kandukur.

By the aforesaid order, the Court below has dismissed the petition filed by the appellant - husband under Section 13 (1) (ib) of the Hindu Marriage Act, 1955.

At the time of filing of the appeal, the age of the appellant was 62 years and that of the respondent was 55 years. Though the appeal is of the year 2004, when the matter is called for hearing, there is no representation on behalf of the appellant and it indicates that the appellant is not interested in pursuing the appeal.

Accordingly, the Civil Miscellaneous Appeal is dismissed for non-prosecution. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SRI JUSTICE R. SUBHASH REDDY

21.01.2015
V V

Dr. JUSTICE B.SIVA SANKARA RAO