

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL MISCELLANEOUS APPEAL No.442 of 2010

JUDGMENT :

This appeal is preferred against order dated 03.05.2010 in I.A.No.342 of 2010 in O.S.No.44 of 2010 on the file of II-Additional District Judge, Guntur.

2. Appellant herein is defendant No.3 and respondent No.1 herein is plaintiff. Plaintiff filed the above referred I.A. seeking temporary injunction against appellant from alienating 'B' schedule properties pending disposal of the suit.

3. Advocate for appellant represented that the suit O.S.No.44 of 2010 was dismissed for default on 21.01.2013 and plaintiff filed petition for restoration of the suit with a delay petition and as the suit is not pending as on today, nothing survives in this appeal and appeal can be disposed of by giving liberty to appellant herein to approach this Court as and when necessity arises.

4. Accordingly, appeal is dismissed giving liberty to appellant to approach this Court as and when necessity arises.

5. Miscellaneous petitions pending, if any, shall stand closed. No costs.

S. RAVI KUMAR, J

1st August 2016.

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