

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

C.C.C.A. No.45 OF 2000

JUDGMENT:

The defendant in Original Suit No.1246 of 1989 on the file of the III Additional Judge, City Civil Court, Secunderabad, preferred the present appeal aggrieved over the judgment and decree rendered by the said Court on 11.04.1996, wherein the relief for enforcement of agreement of sale asked for was acceded to.

2. When the present appeal came up for hearing on 08.08.2016, learned counsel for the sole appellant-defendant represented that the sole appellant-defendant died and sought time to take steps.

3. Today, there is no representation for the appellant-defendant.

4. A perusal of the proceedings sheet would show that, in fact, on 03.12.2010, learned counsel for the appellant-defendant reported the death of the appellant and the same was recorded on that day. Thereafter, no steps were pursued despite the matter being adjourned on 23.12.2010 and 20.01.2011.

5. When the death of the appellant had taken place even prior to the representation made on 03.12.2010, the present appeal stands dismissed as abated for not taking appropriate steps to bring the

legal representatives of the sole appellant-defendant on record. There shall be no order as to costs.

6. As a sequel thereto, miscellaneous petitions, if any pending in the instant appeal, stand closed.

A. SHANKAR NARAYANA, J

29th August, 2016

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