

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

C.C.C.A. No.206 OF 2000

JUDGMENT:

Learned counsel for the appellant represents that despite his efforts to get instructions from the appellant, he is unsuccessful as the notices, dated 04.06.2010 and 13.07.2012, sent by him to the appellant were not effected on the appellant and, therefore, sought for withdrawal of the appeal.

2. A perusal of the contents of the said notices would show that, in fact, E.P. No.89 of 2000 was filed and during the pendency of E.P., there appears to have some settlement arrived between the parties and that even from a perusal of the records, it was found by the learned counsel that the appellant has paid sufficient amount and respondent No.1-plaintiff-decree holder also filed full satisfaction memo and even made a request to record full satisfaction and to close the E.P. and that even the Court below has recorded full satisfaction and closed the E.P.

3. Since the learned counsel for the appellant placed in such a situation, as the notices sent by him with the aforesaid contents stood un-served, the instant appeal is dismissed for non-prosecution by the appellant.

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

A. SHANKAR NARAYANA, J

16th August, 2016

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