

**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO
AND**

THE HON'BLE MRS. JUSTICE ANIS

C.M.A. No. 767 OF 2015

J U D G M E N T: *(per Hon'ble Sri Justice Nooty Ramamohana Rao)*

Learned counsel for the appellant, upon instructions, seeks permission of the Court to withdraw the Civil Miscellaneous Appeal.

Learned counsel appearing for the respondent wife Sri Vidya Sagar would submit that the husband had failed to comply with the order passed by this Court on 01.12.2015 by depositing the monthly maintenance amount.

We accord permission to the appellant for withdrawing the Appeal and the Civil Miscellaneous Appeal is dismissed as withdrawn, but however, it is open to the respondent wife to execute the decree to the extent of non-payment of monthly maintenance amount to her. No costs.

NOOTY RAMAMOHANA RAO, J

ANIS, J

05th January 2016

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