

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

SECOND APPEAL No.118 OF 2016

JUDGMENT:

This second appeal is filed under Section 100 of the Code of Civil Procedure, 1908 (for short 'CPC') challenging the concurrent finding recorded by the IX Junior Civil Judge, City Civil Court, Hyderabad, in O.S. No.367 of 2010 and by the XXIV Additional Chief Judge, City Civil Court at Hyderabad, in A.S. No.287 of 2012, decreed the suit for ejectment against the appellant herein.

The facts are not necessary in view of filing of undertaking affidavit before this Court by Sri Mohd.Abdul Khader, S/o. Mohd. Abdul Ghaffar, appellant herein, that he will vacate the premises within six months from the date of this Order, subject to refund of Rs.1,00,000/- paid to the respondent herein while agreeing to deposit the rent every month till delivery of vacant possession.

Recording the undertaking of the appellant, the appeal is dismissed while permitting the appellant to vacate the premises within six months from today, subject to refund of amount deposited towards security, after deducting amount due, if any, towards arrears and subject to payment of rent for the subsequent period from today till delivery of vacant possession.

Accordingly, the second appeal is disposed of. No costs.

Miscellaneous petitions, if any, pending in the second appeal, shall stand closed.

M. SATYANARAYANA MURTHY, J

Date: 29.09.2016
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