

**HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**SECOND APPEAL NO. 160 OF 2016**

**ORDER:**

The defendant in O.S.No. 155 of 2005, on the file of First Additional Senior Civil Judge, Kakinada , appellant in A.S.No. 18 of 2011 on the file of VI Additional District Judge, East Godavari, Kakinada preferred the present S.A.No. 160 of 2016 under Section 100 of CPC challenging the concurrent findings recorded by both the trial Court and appellate Court in suit and appeal.

2. The respondents filed suit for eviction of the appellant from the suit schedule property terminating the tenancy by following the procedure contemplated under Transfer of Property Act and both the Courts below based on evidence available on record recorded concurrent finding and ordered eviction of the appellant from the schedule property besides granting them relief's for recovery of damages at Rs. 7,700/- and costs.

3. At the time of hearing, counsel appearing for appellant Sri Raja Reddy Koneti requested this Court to grant six months time for vacating the premises and to deliver vacant possession of the schedule property to the respondents. Sri B. S. Kartik, counsel appearing for respondents, on instructions, readily agreed for granting of six months time to vacate and deliver the vacant possession of the schedule property to the respondents.

4. With the consent of both the parties, this Second Appeal is disposed of with a direction to the appellant to deliver the vacant possession of the schedule premises on or before 29.1.2017 and till delivery of vacant possession, the appellant shall continue to pay damages to respondents at the same rate as assessed by the trial Court. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand dismissed.

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**JUSTICE M.SATYANARAYANA MURTHY**

Date: 29.07.2016  
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