

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

SECOND APPEAL No.505 OF 2011

JUDGMENT:

Learned counsel appearing on behalf of Smt. Ch. Laxmi Chaya, for the appellants, would submit that twice notices were sent to the appellants – defendant Nos.1 and 2, but there was no response from them and, thus, expresses inability and, of course, seeks yet another chance.

2. Sri Namavarapu Rajeswara Rao, learned counsel for respondent No.1 – plaintiff, would represent the matter. Though, service was effected on respondent Nos.2 and 3 – defendant Nos.3 and 4, none appears for them.

3. The present Second Appeal arises out of the judgment and decree, dated 14.12.2009, rendered in A.S.No.2 of 2008 by the learned Senior Civil Judge, Nandigama, confirming the judgment and decree, dated 28.08.2007, rendered in O.S.No.354 of 2002 by the learned Junior Civil Judge, Nandigama, directing partition of 1st, 2nd and 5th items of the suit schedule properties into four equal shares with metes and bounds and to allot one such share to respondent No.1 - plaintiff with separate possession thereof.

4. When the appellants are not evincing any interest in prosecuting the Second Appeal, despite notices being sent by their

learned counsel, certainly, there is no need to further adjourn the matter.

5. Hence, the present Second Appeal is dismissed for non-prosecution. Miscellaneous Petitions, if any, pending in this Second Appeal shall stand closed. There shall be no order as to costs.

A. SHANKAR NARAYANA, J

June 06, 2017.
MD

