

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

C.M.A.No.216 OF 2006

JUDGMENT

This Civil Miscellaneous Appeal is directed against the order dated 23.12.2005 passed in I.A.No.2376 of 2005 in A.S.No.274 of 2004 by the III Additional Chief Judge, City Civil Court, Hyderabad.

On 20.03.2006, this Court granted interim stay, as a result of which, the proceedings in O.S.No.1097 of 2002 could not be proceeded with.

Now, learned counsel for the appellant seeks permission of this Court to withdraw the appeal, but the learned counsel for the 1st respondent opposed the same stating that the 1st respondent died during the pendency of the appeal and the application filed to bring her Legal Representatives on record, is pending.

Since the appellant himself wants to withdraw the appeal, this Court sees no tenable ground for objection.

Accordingly, the Civil Miscellaneous Appeal is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

