

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

APPEAL SUIT No.1129 OF 2000

JUDGMENT:

Ms. S. V. Bharatha Lakshmi, learned counsel, appearing on behalf of Sri P. Gangaiah Naidu, learned counsel for the appellant, though, made a request to adjourn the matter, but the learned counsel for the respondent would submit that the sole appellant died on 28.12.2016 and in proof of the same, the learned counsel placed before the Court a copy of the Death Certificate of the appellant – M.K.D.N.V. Prasad Rao issued by the Registrar of Births and Deaths and Health Officer, Brahmapur Municipal Corporation, Brahmapur (G.M.).

2. Admittedly, no steps have been pursued to bring the legal representatives of the deceased sole appellant on record. Therefore, by operation of law, the abatement automatically worked out, except passing formal order of abatement.

3. Hence, the present appeal stands dismissed as abated. However, it is left open to the legal representatives of the deceased sole appellant to approach this Court, in case, they are so interested, by filing necessary applications. Miscellaneous Petitions, if any, pending in this appeal shall stand closed. There shall be no order as to costs.

A. SHANKAR NARAYANA, J

October 12, 2017.
MD