

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N.BALAYOGI

O.S.A. No.7 of 2017

Judgment: (per V.Ramasubramanian, J.)

The learned counsel for the appellant has filed a Memo into the Court, which reads as follows:

“It is respectfully submitted that the appellant has filed the above OSAs against orders dated 30-6-2014 passed the final decree in Application No.775 of 2014 and implead petitions in Application Nos.590 and 591 of 2014 in C.S.No.7 of 1958 and the appellant states that the matter is amicably settled out of the Court with unofficial respondent Nos.1 and 175 and the appellant subsequently came to know that during the lifetime of defendant No.1 (Zaheeryar Jung in the suit) already sold properties in favour of the final decree holders and the appellant and other defendants in the suit have no right in the said final decree property. Therefore, the appellant is requested before this Hon'ble Court permit to withdraw OSA Nos.6, 7 and 10 of 2017 and while confirming orders of the final decree and implead petitions in favour of respondent Nos.1 and 175 in the interest of justice.

Hence this Memo.”

2. It appears from the contents of the Memo that though the appellant eventually seeks only to withdraw the appeal, there are several tags attached to the withdrawal. Therefore, we made it clear to the learned counsel for the appellant that we will not take note of anything else stated in the Memo except the prayer for unconditional withdrawal of the appeal. The learned counsel for the appellant agreed.

3. Therefore, without taking note of any other contents of the Memo, the appellant is permitted to withdraw the

appeal, without any liberty and without any observations, and the appeal is dismissed as withdrawn. The applications, if any, pending in this appeal shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

N.BALAYOGI, J.

25th July, 2017.
Ak



HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N.BALAYOGI

O.S.A. No.7 of 2017
(per VRS, J.)



25th July, 2017.
(Ak)