

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

SECOND APPEAL No.1006 OF 2008

JUDGMENT:

This Appeal is filed assailing the decree and judgment dated 02.05.2008 in A.S.No.7 of 2007 on the file of the Court of the Senior Civil Judge, Nandigama, wherein and whereby the decree and judgment dated 30.12.2006 in O.S.No.79 of 2000 on the file of the Court of the Junior Civil Judge, Nandigama, was confirmed.

2. During pendency of the second appeal, the first respondent died and his legal representatives were brought on record as respondent Nos.2 to 4.

3. Learned counsel for both parties submitted that the appellant is the daughter, second respondent is the wife, third respondent is the son and fourth respondent is the daughter of first respondent. After the death of first respondent, the appellant and respondent Nos.2 to 4 are the legal heirs of the first respondent. They also submitted that in view of death of the first respondent, the parties have to workout their remedies in accordance with law. They further submitted that no purpose will be served by keeping the appeal pending.

4. In view of the submissions made by the learned counsel for both parties, the Second Appeal is disposed of. However, disposal of this appeal does not preclude the appellant and respondent Nos.2 to 4 to workout their remedies in accordance with law. There shall be no order as to costs.

5. Consequently, Miscellaneous Petitions, if any, pending in this Second Appeal shall stand closed.

T. SUNIL CHOWDARY, J

Date: 08.12.2017

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