

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

SECOND APPEAL No.561 OF 2007

JUDGMENT:

Sri M. Jayaram Reddy, learned counsel from the office of Sri V. Ravinder Rao, learned Senior Counsel, appearing for the appellant, would submit that the present Second Appeal is filed challenging the preliminary decree, dated 25.08.1999, passed in O.S.No.2 of 1999 by the Principal Junior Civil Judge, Proddatur, which was confirmed by the judgment and decree, dated 26.10.2006, rendered in A.S.No.29 of 2002 by the II Additional District Judge, Kadapa at Proddatur. The learned counsel would also submit that during pendency of the first appeal, final decree was also passed and later, both the parties approached the Lok Adalat Bench at Proddatur, and the Lok Adalat passed an award in Case No.24 of 2016 on 03.02.2016 and, therefore, the present Second Appeal becomes infructuous, and hence, seeks to dismiss the Second Appeal as infructuous.

2. Smt. K. Pallavi, learned counsel representing Smt. B.V. Aparna Lakshmi, for respondent No.2, would submit that the legal heirs of respondent No.2, in fact, filed S.A.MP.No.689 of 2017 in the present Second Appeal requesting to dismiss the Second Appeal, in view of the settlement of dispute before the Lok Adalat in Case No.24 of 2016, dated 03.02.2016.

3. Since the matter is already settled before the Lok Adalat Bench as mentioned in the above, the present Second Appeal is dismissed as infructuous.

4. S.A.MP.Nos.686, 687, 688 and 689 of 2017 and other Miscellaneous Petitions, if any, pending, shall stand closed. There shall be no order as to costs.

A. SHANKAR NARAYANA, J

June 07, 2017.
MD

