

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

SECOND APPEAL No.24 OF 2013

JUDGMENT:

The learned counsel for the sole appellant would submit that the sole appellant died long back, perhaps more than six months ago, and he intends to file petitions by issuing notice to the legal heirs, if any. When the death occurs more than 90 days back, in view of the provisions of sub-rule (2) of Rule 3 of Order XXII of the Civil Procedure Code, the proceedings automatically would get abated.

In that view of the matter, the present Second Appeal is dismissed as abated. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Second Appeal shall stand closed.

A. SHANKAR NARAYANA, J

Dt. 23.06.2017

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