

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

C.C.C.A.No.210 OF 1999

JUDGMENT:

No representation for the appellant, though, the present appeal relates to the year 1999.

2. In fact, the appellant – plaintiff succeeded in the suit in O.S.No.199 of 1991 on the file of VII Additional Judge, City Civil Court, Hyderabad, whereby and whereunder, the learned VII Additional Judge, on 01.12.1997, decreed the suit claim with costs and passed a preliminary decree for recovery of the suit amount with subsequent interest at 12% per annum from the date of suit till decree and thereafter at 6% per annum till realisation.

3. Challenge in this appeal is to the rate of interest awarded by the Court below on the ground that no reasons were assigned by the Court below in reducing the rate of interest from 20% to 12% per annum from the date of suit till passing of the decree and 6% per annum thereafter till realisation. But, as could be seen from the proceedings in the present appeal, the very first appeal was dismissed against respondent No.1 – M/s. Vidyarthi Publications for default on 27.04.2007. Respondent No.2 is only representing respondent No.1. Respondent No.3 is no other than the wife of respondent No.2. When no steps at all were pursued to get the dismissal order passed against

respondent No.1 set aside, it appears, the appellant is not interested in prosecuting the appeal itself.

4. Hence, the present appeal is dismissed for non-prosecution. Miscellaneous Petitions, if any, pending in this appeal shall stand closed. There shall be no order as to costs.

A. SHANKAR NARAYANA, J

October 11, 2017.
MD

