

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CIVIL MISCELLANEOUS APPEAL No.804 of 2016

JUDGMENT:

In fact as per the settled law to set aside an exparte decree particularly in money matters, minimum half of the amount of the decree with costs to be directed to be deposited with permission to withdraw the amount without furnishing security, if any. Once such is the case, the passing of the orders subject to condition of 1/4th of the suit amount no way requires interference.

Accordingly and in the result, the Civil Miscellaneous Appeal is dismissed and the stay is vacated. Time is granted to comply within one week from today.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 19.12.2017

Note: Issue C.C. by tomorrow

(B/o)

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