

THE HON'BLE JUSTICE SRI T. SUNIL CHOWDARY

SECOND APPEAL No.1341 of 2017

JUDGMENT:

This appeal is filed under Section 100 of CPC, by the defendant, challenging the decree and judgment dated 19.9.2017 in A.S.No.52 of 2015 on the file of the Court of XXVII Additional Chief Judge, City Civil Court, Secunderabad, wherein and whereby the decree and judgment dated 26.9.2015 in O.S.No.750 of 2010 on the file of the Court of III Senior Civil Judge, City Civil Judge, Secunderabad, decreeing the suit in favour of the plaintiff directing the defendant to vacate the suit schedule property, was confirmed.

2. Heard the learned counsel for the appellant and learned counsel for the respondent.

3. At the time of hearing, learned counsel for the appellant-defendant submitted that the appellant will vacate the suit schedule property on or before 31.3.2018. To that effect, the appellant also filed an undertaking affidavit. In view of the undertaking affidavit filed by the appellant, this Court is not inclined to go into merits of the main case.

4. Having regard to the facts and circumstances of the case, the second appeal is disposed of, directing the appellant to vacate the suit schedule property on or before 31.3.2018. Miscellaneous petitions, if any pending in this appeal, shall stand closed.

T.SUNIL CHOWDARY, J

Date: December 19, 2017
YS