

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD
CIVIL MISCELLANEOUS APPEAL No.400 of 2009

16.03.2018

Between:

Nunna Nageswara Rao

..Appellant

and

Nunna Padmavathi and another

..Respondents

Counsel for the appellant: Mr.P.Rajesh Babu

Counsel for the respondents: --

The Court made the following:



JUDGMENT: (Per CVNR,J)

This Civil Miscellaneous Appeal arises out of order, dated 28.11.2008, in I.A.No.1351 of 2008 in O.S.No.154 of 2008 on the file of the learned Senior Civil Judge, Tanuku.

2. At the hearing, Mr.P.Rajesh Babu, learned counsel for the appellant, has submitted that as the suit, pending which the present appeal is filed against an interlocutory order, itself was dismissed on 17.09.2009 as the dispute was settled out of Court, the cause in this appeal does not survive for adjudication.

3. In the light of the above, the Civil Miscellaneous Appeal is dismissed as infructuous.

4. As a sequel to dismissal of the C.M.A., interim order, dated 21.04.2009 in C.M.A.M.P.No.735 of 2009 shall stand vacated and C.M.A.M.P.No.735 of 2009 filed by the appellant for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

16th March, 2018

GHN

