

**THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI**

**APPEAL SUIT No.3317 OF 2000**

**JUDGMENT:**

The unsuccessful defendant preferred this appeal, under Section 96 of the Code of Civil Procedure, 1908, assailing the decree and judgment, dated 26.07.2000, passed in O.S.No.18 of 1999 by the learned Additional Senior Civil Judge, Tirupati, Chittoor District.

2. When the matter is taken up for hearing, learned counsel for the appellant/defendant submits that a letter, dated 05.11.2018, along with the affidavit of the Director of the appellant company was filed before the Registry stating that the matter is settled out of Court and requesting to dismiss the appeal suit as withdrawn.

3. Pursuant to the said request, the matter is listed today under the caption "For Withdrawal".

4. While reiterating the contents in the letter and the affidavit of the Director of the appellant Company, learned counsel for the appellant seeks permission to withdraw the appeal suit *inter alia* stating that at the inception, Rs.50,000/- was deposited to the credit of the suit as per the orders, dated 20.11.2000, of this Court in C.M.P.No.21870 of 2000 and that the respondent/plaintiff may be permitted to withdraw the same in view of the settlement out of Court.

5. Recording the submissions, the appeal suit is dismissed as withdrawn. Permission is accorded to the respondent/plaintiff to withdraw, without furnishing any security, Rs.50,000/- with interest accrued, if any, lying to the credit of the suit by following the procedure established by law.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this Appeal Suit shall stand closed.

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**JUSTICE M.SEETHARAMA MURTI**

Date: 15.11.2018  
AMD



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