

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

SECOND APEAL No.1391 of 2017

05.01.2018

Between:

Bodi Narasimha Murthy

..Appellant

and

Imandi Jagannadha Rao and another

..Respondents

Counsel for the appellant: Mrs.Nimmagadda Revathi

Counsel for the respondents: Mr.S.V.S.S.Siva Ram

The Court made the following:



JUDGMENT: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This second appeal is filed against judgment and decree, dated 09.10.2017, in A.S.No.339 of 2009 on the file of IV Additional District Judge, Visakhapatnam, whereby he has dismissed the appeal filed against judgment and decree, dated 07.04.2009, in O.S.No.569 of 2004 on the file of Principal Junior Civil Judge, Visakhapatnam, whereby he has dismissed the suit filed by the appellant for permanent injunction restraining the respondents from interfering with his peaceful possession and enjoyment of the suit schedule premises.

2. Today, by a separate judgment, this Court has dismissed S.A.No.1428 of 2017 arising out of decree for eviction of the appellant by granting six months time for the appellant to vacate the suit schedule premises. As the subject matter of both the Second Appeals is common and following the judgment in S.A.No.1428 of 2017, the cause in this Second Appeal does not survive for adjudication.

3. The Second Appeal is, accordingly, dismissed.

C.V.NAGARJUNA REDDY, J**05th January, 2018**

GHN