

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Second Appeal No.94 of 2019

JUDGMENT:

1. Heard both sides before admission of the Second Appeal and perused the judgments of the Courts below and the grounds urged in seeking the substantial questions of law raised in the grounds of appeal. In fact from its perusal, particularly those revolving around Section 106 of Transfer of Property Act, not involved in substantial questions of law.

2. Having regard to the above, there are no grounds to admit, but for rather than dismissal, disposed of the second appeal by granting time to vacate before 31st December 2019, by securing alternative accommodation in the meantime. The appellant/defendant shall file affidavit before the trial Court within one week from the date of receipt of this order to the above fact of vacating by 31.12.2019 and not to create any third party interest over the property and not to commit any acts of damage and shall not ask for any extension of time and if at all failed to vacate, liable for such other legal consequences, without prejudice to the right of the plaintiff/deed holder to execute the rent suit under contest of Rs.10,000/- or Rs.22,000/- per month what usually he is paying or depositing without prejudice to the contest of both sides in that lis.

3. Miscellaneous petitions pending if any, in this appeal, shall stand closed. There shall be no order as to costs.

Dr. B. SIVA SANKARA RAO, J

Date: 03.04.2019

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3rd April, 2019

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