

**THE HON'BLE SRI JUSTICE M. LAXMAN**

**SECOND APPEAL No.1158 OF 2001**

**JUDGMENT:**

1. The present appeal has been directed against judgment and decree dated 16.07.1999 passed in A.S.No.57 of 1994 by the I Additional Chief Judge, City Civil Court, Secunderabad, wherein and whereby the judgment and decree dt.14.06.1994 passed in O.S.No.379 of 1989 by the XI Assistant Judge, City Civil Court, Secunderabad, was confirmed. The said suit was filed by the plaintiff for perpetual injunction.

2. The present appeal is at the instance of plaintiff. According to the learned Counsel for respondent, the respondent died and he is not able to get instructions from the legal heirs of deceased respondent. According to the learned Counsel for the appellant, he also addressed a letter to his client for taking proper steps but there was no response from his client also. It appears, parties are not interested in prosecuting the case. Therefore, the appeal is liable to be dismissed.

3. Accordingly, this Second Appeal is dismissed for non-prosecution. No order as to costs.

4. As a sequel, pending miscellaneous applications, if any, shall stand closed.

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**M. LAXMAN, J**

DATE:10.08.2022  
BDR