

THE HON'BLE SRI JUSTICE M.LAXMAN

I.A.No.1 of 2022

IN/AND

CITY CIVIL COURTS APPEAL No.263 of 2008

JUDGMENT:

1. I.A.No.1 of 2022 is filed by the respondent No.3 to dismiss the appeal, upon the appellant failing to bring the legal heirs of the respondent Nos.1 and 2 on record.

2. The suit is for partition to partition the suit schedule property into four equal shares and to allot one such share to the plaintiff. The suit is decreed in part. Assailing the same, the present appeal is filed by defendant No.1.

3. No steps have been taken to bring the legal representatives of respondent Nos.1 & 2 on record, who died on 23.03.2017 and 12.01.2020 respectively. Since, the suit is for partition of the property, without the legal heirs, the appeal cannot be heard.

4. Therefore, the City Civil Courts Appeal is dismissed as abated. No costs.

Miscellaneous Petitions, pending if any, shall stand closed.

JUSTICE M.LAXMAN

10.11.2022
ESP/Gms

THE HON'BLE SRI JUSTICE M.LAXMAN

45

C.C.C.A.No.263 of 2008

Dated: 10.11.2022

ESP/Gms