

THE HON'BLE JUSTICE SMT P.SREE SUDHA

APPEAL SUIT No. 3889 OF 2003

JUDGMENT:

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- Both the counsel present.
2. Learned Counsel for the appellant stated that on 17.12.2003, interim stay was granted subject to the condition of depositing of suit costs within a period of two weeks. Despite several adjournments, the conditional order has not been complied with.
3. Therefore, on 13-04-2004 C.M.P.No.29459 of 2003 was filed by the judgment debtor stating that the conditional order passed on 17.12.2003 had not been complied with. In the said circumstances, on 13-04-2004, this Court granted interim order as prayed for, pending disposal of the appeal, on condition of the appellant depositing suit costs within a period of two weeks, in default, the stay granted on 17-12-2003 stands vacated. Till today the conditional order has not been complied with.

4. As the appellant failed to comply with the conditional order dated 13-04-2004, the appeal is liable to be dismissed.

5. Accordingly, the appeal is dismissed.

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

JUSTICE SMT P.SREE SUDHA

26.10.2022.
PSW/PRV

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