

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

FAMILY COURT APPEAL No.241 OF 2008

JUDGMENT: (Per the Hon'ble Dr.SA,J)

This appeal under Section 19 of Family Courts Act, 1984, is filed by the appellant herein/respondent No.1/husband, aggrieved by the order dated 14.10.2008 passed in F.C.O.P.No.275 of 2006 by the learned Judge, Family Court, Hyderabad, wherein the subject F.C.O.P filed by the respondent No.1 herein/petitioner/ wife, under Section 7 of the Act, seeking declaration that she is the owner of schedule mentioned property i.e, H.No.19-5-44/A/81, Kishan Bagh, Hyderabad and for permanent injunction restraining the appellant herein/respondent No.1 and respondent Nos.2 and 3 herein/respondent Nos.2 and 3 from interfering with her peaceful possession and enjoyment over the said property, was allowed.

2. No representation for both sides.

3. On 31.03.2022, when the matter came up for hearing, the learned counsel for the respondent No.1-wife brought to the notice of this Court that the learned counsel for the appellant-

husband passed away. Therefore, this Court directed the Registry to issue notice to the appellant. Accordingly, notice was sent to the appellant and it was returned with an endorsement "incomplete wrong house number".

4. This appeal was filed more than a decade ago. Till today, the appellant did not evince any interest to contact his counsel on record or find out what is the stage of the case. In view of these circumstances, it appears that the appellant has no interest in pursuing the appeal. There are laches on the part of the appellant.

5. Accordingly, this appeal is dismissed for default.

Miscellaneous petitions, if any, pending in this appeal shall stand closed. No costs.

Dr. SHAMEEM AKTHER, J

NAGESH BHEEMPAKA, J

Date: 11.10.2022
scs