

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

CIVIL MISCELLANEOUS APPEAL No.131 OF 2006

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

This appeal, under Order XLIII Rule 1 C.P.C., is filed by the appellant aggrieved by the order and decree, dated 28.07.2005, passed in I.A.No.566 of 2003 in O.S.No.168 of 1998 by the learned XII Additional Chief Judge, City Civil Court, Hyderabad (Fast Track Court), whereby, the subject I.A. filed by the appellant to set aside the order, dated 15.09.2003, passed in the subject Suit, was dismissed.

2. There is no representation for both sides, despite listing the matter under the caption 'for orders'.

3. As seen from the material placed on record, *vide* order, dated 15.09.2003, the subject Suit was dismissed for default. Seeking to set aside the same, the subject I.A. was filed by the appellant and the same was dismissed *vide* the impugned order. The appeal is of the year 2006. Till date, the appellant did not choose to serve notice on all the respondents herein. It reflects that the appellant has no interest to pursue the appeal.

4. Under these circumstances, this appeal is dismissed for default.

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

Dr. SHAMEEM AKTHER, J

NAGESH BHEEMAPAKA, J

Date: 03.11.2022
Pns/MD