

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

CIVIL MISCELLANEOUS APPEAL No.2139 OF 2000

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

This appeal is filed by the appellant/defendant No.1 aggrieved by the judgment and decree, dated 25.02.2000, passed in O.S.No.27 of 1996 by the learned Senior Civil Judge, Sangareddy, whereby, the subject O.S. filed by the respondent No.1/plaintiff, under Sections 14(2) and 17 of the Indian Arbitration Act, for making the Arbitration Award, dated 15.12.1995, as a rule of Court, was allowed.

2. Heard the learned counsel for the appellant/defendant No.1 and perused the record.

3. There is no representation for respondent No.1/plaintiff.

4. As seen from the material placed on record, bata due against respondent No.2-Arbitrator.

5. Learned counsel for the appellant/defendant No.1 filed a Memo, dated 18.10.2022, stating that the respondent No.1-firm is not in existence and the partner, who represented the respondent No.1-firm, sold the firm to third party. Further, the representative of respondent

No.1-firm i.e., Sri K.G. Pillai, expired in the year 2009 and the details of his family members are not known.

6. Under these circumstances, the claim against respondent No.1-firm stands abated. Respondent No.2 is an Arbitrator in this appeal.

7. Accordingly, this appeal is dismissed as abated.

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: 19.10.2022
MD