

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE NINETEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE SAMBASIVARAO NAIDU

SECOND APPEAL NO: 907 OF 2017

Appeal under Section 100 of CPC against the Judgment and decree dated 15.02.2017 made in A.S.No.40 of 2013 on the file of the Court of the VI Additional District Judge, Siddipet, preferred against the decree in O.S.No.24 of 2009 dated 10.07.2013 on the file of the Court of the Principal Junior Civil Judge, Siddipet.

Between:

Gadicherla Srinivas, S/o. Late Pedda Balanarsu, Occ: Manson, R/o H.No.10-2-95, Narsapur, Siddipet, Medak District.

...Appellant/Respondent/Defendant

AND

Gadicherla Lachavva, W/o. Late Chinna Rajaiah, Occ: Agriculture, R/o H.No.10-2-95, Narsapur, Siddipet, Medak District.

...Respondent/Appellant/Plaintiff

I.A. NO: 1 OF 2017(SAMP. NO: 1819 OF 2017)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the impugned judgment and decree, dt.15.02.2017 in A.S. No.40/2013 passed by the VI Additional District Judge at Siddipet

Counsel for the Appellant: SRI. M. DAMODAR REDDY

Counsel for the Respondent: NONE APPEARED

The Court delivered the following: JUDGMENT

THE HONOURABLE SRI JUSTICE SAMBASIVA RAO NAIDU

SECOND APPEAL NO.907 OF 2017

JUDGMENT :

As could be seen from the proceeding sheet, it is palpable that on 07.02.2023 and 05.06.2023, learned counsel for the appellant sought time to bring the legal representatives of the sole appellant on record.

2. Today, when the matter came up for hearing, learned counsel for the appellant has informed this Court that since the sole appellant died long back, he addressed a letter to the son of the appellant, but there is no response. Thus, it appears that that the legal heirs of the deceased-sole appellant are not interested in prosecuting this appeal anymore. Therefore, this appeal is liable to be dismissed for non-prosecution.

3. Accordingly, this Second Appeal is dismissed for non-prosecution.

Pending miscellaneous applications, if any, shall stand closed. No costs.

SD/- K. SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The VI Additional District Judge at Siddipet, Medak District (With records)
2. One CC to SRI. M. DAMODAR REDDY Advocate [OPUC]
3. Two CD Copies

CHR



HIGH COURT

DATED:19/06/2023

JUDGMENT

S.A.No.907 of 2017



DISMISSING THE S.A.
FOR NON-PROSECUTION
WITHOUT COSTS

5
LEMB
12/7/2023