

[3208]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

SECOND APPEAL NO: 523 OF 2004

Appeal Under Section 100 of C.P.C against the Judgment and Decree Dated 13.10.2003 made in A.S. No. 32 of 1997 on the file of the Court of the 1st Additional Chief Judge, City Civil Court, Secunderabad, Preferred against the Judgment and Decree passed in O.S. No. 23 of 1990, Dated 31.12.1996, On the file of the Court of the Principal Rent Controller-cum-XVII Assistant Judge, Secunderabad.

Between:

Masjid Managing Committee, New Boiguda, Secunderabad, Rep. by its Secretary, Mohd Hashim/S/o.Bahseer Khan Presently Habeeb Ur Rahman R/o.New Bhoiguda, Seunderabad.

...APPELLANT/RSPDT/PLAINTIFF

AND

1. Smt. Sarojana, W/o.Sataiah, R/o. H.o. 6-1-356 Near Rail Kalarang, New Bhoiguda, Seunderabad.
2. The Chairman, A.P. Wakf Board, Hydereabad.

(R-2 Impleaded as Per Court Order dated 26.06.2004)

...RSPT/APPLNT/DFNDT

I.A. NO: 2 OF 2004

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 direct the respondent not to withdraw the amounts already deposited to the credit of First Appeal in AS No.32 of 1997 in the interest of Justice.

Counsel for the Appellant : SRI. R. CHANDRASHEKAR REDDY (Not Present)

Counsel for the Respondent : NONE APPEARED

The Court made the following:

THE HONOURABLE SMT JUSTICE P. SREE SUDHA

SECOND APPEAL No.523 OF 2004

JUDGMENT:

On 31.07.2023, there was no representation on behalf of the appellant. Though the matter is listed today under the caption "For Dismissal" there is no representation on behalf of the appellant. Learned counsel for the appellant failed to pay batta as per the order dated 19.02.2014, and thus respondents did not turn up. The case against respondent No.1 is dismissed for default. The appellant failed to pursue the litigation.

2. Accordingly, this appeal is dismissed. No costs.

3. Miscellaneous applications, pending if any, shall stand closed.

**Sd/-M. MANJULA
DEPUTY REGISTRAR**



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SECTION OFFICER

To,

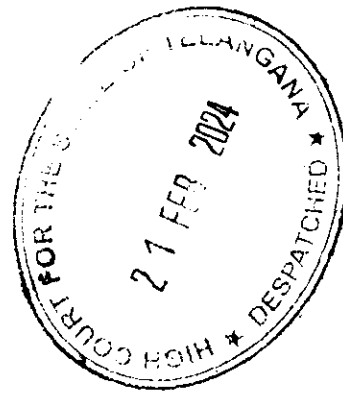
1. The 1st Additional Chief Judge, City Civil Court, Secunderabad. (With Records)
2. The Principal Rent Controller-cum-XVII Assistant Judge, Secunderabad.
3. One CC to SRI. R. CHANDRASHEKAR REDDY, Advocate [OPUC]
4. Two CD Copies

DL



HIGH COURT
DATED:16/08/2023

JUDGMENT
SA.No.523 of 2004



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