

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

**FRIDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SMT. JUSTICE P.SREE SUDHA

APPEAL SUIT NO: 317 OF 2010

Appeal Suit filed under Section 96 of C.P.C. against the Judgment and decree dated 16.06.2009 made in O.S.No. 349 of 2005 on the file of the Court of the VII Addl. Senior Civil Judge, Rangareddy District at L.B.Nagar, Hyderabad.

Between:

Vidyavathi Giri, W/o. late Gopal Giri, Age: 80 years, R/o. 210, Gunrock Enclave Secunderabad-500 003

...APPELLANT

AND

1. A.P.State Financial Corporation, rep.by its Chief General Manager Chirag Ali Lane, Hyderabad-02
2. CAPT GKG RAJU, S/o. Sudappa Raju, 175, Sector A, AWHO, Secunderabad-09

...RESPONDENTS

I.A. NO: 2 OF 2010(ASMP. NO: 926 OF 2010)

Petition under Order 39 Rules 1 & 2 of 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass an order of injunction restraining the respondents from alienating the suit Schedule property to any third party pending AS.No. 317 of 2010 preferred to the High Court against the order of the Court of the VII Addl. Senior Civil Judge, Rangareddy District at L.B.Nagar, Hyderabad made in O.S.No. 349 of 2005 dated 16.06.2009

Counsel for the Appellant : Sri Kishore Rai

Counsel for Respondent No.1 : Sri Srinivas Chitturu

Counsel for Respondent No.2 : Sri Srinivas Polavarpu

The Court delivered the following: JUDGMENT

THE HONOURABLE SMT JUSTICE P. SREE SUDHA

APPEAL SUIT NO. 317 OF 2010

JUDGMENT:

Appellant/Plaintiff filed O.S.No.349 of 2005 on the file of VII Additional Senior Civil Judge, R.R.District at L.B.Nagar, Hyderabad for Specific Performance and Injunction and the same was dismissed, against which the plaintiff preferred the present Appeal Suit before this Court.

2. Learned counsel for respondent No.2 filed a memo stating that the respondent No.2 died on 07.04.2012 and furnished the details of legal representatives of respondent No.2. Thereafter, they were not brought on the record, as such the appeal suit against legal representatives of respondent no.2 stands abated.

3. A perusal of the docket proceedings shows that the learned counsel for the appellant did not evince any interest to pursue the present appeal proceedings. On 31.08.2023, it was represented that Sri Apurva M.Ghokale intended to file vakalat for the appellant, but till date, no vakalat was filed on behalf of the appellant. Even today also, there is no representation for the appellant. It seems that the appellant is not interested to pursue the matter. No purpose would be served in continuing the Appeal Suit.

4. Accordingly, the Appeal Suit is dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/- CH.VENKATESWARLU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VII Addl. Senior Civil Judge, Rangareddy District at L.B.Nagar, Hyderabad. (with records)
2. One CC to Sri. SRINIVAS POLAVARAPU, Advocate [OPUC]
3. One CC to Sri. SRINIVAS CHITTURU, Advocate [OPUC]
4. One CC to Sri. KISHORE RAI, Advocate [OPUC]
5. Two CD Copies

Asr/njb
NS

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HIGH COURT

DATED:22/09/2023

JUDGMENT

AS.No.317 of 2010



**DISMISSING THE AS
WITHOUT COSTS**

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