

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

**WEDNESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

**PRESENT
THE HONOURABLE Dr. JUSTICE G.RADHA RANI**

C.C.C.A. NO: 260 OF 2019

Appeal under Section 96 of CPC against the Judgment and decree dated 01/03/2019 made in OS No.118 of 2012 on the file of the Court of the I Additional Chief Judge, City Civil Court, Secunderabad.

Between:

M/s. Vijeta Khadi Gramodyog Sangha, Rep. by its Secretary H.Shivraj, S/o.Basavannappa Halshetty, aged 62 years, Occ. Business, Having its office at H.No. 30, Banker Colony, Shivajinagar (South), Bidar-585401, Karnataka
...APPELLANT/ DEFENDANT

AND

M/s S.E. Graphites Pvt. Ltd, (A company registered under the Companies Act) Rep. by its Executive Director and authorized person, Yogesh Shah, S/o Shantilal Shah, A/a 54 yrs, Occ. Business, having its office at Flat No. 33, Madhukunj Apartments, S.P Road, Secunderabad
...RESPONDENT/ PLAINTIFF

IA NO: 1 OF 2019

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 stay all further proceedings in pursuant to judgment and decree 01-03-2019 in O.S No. 118 of 2012 on the file of I Additional Chief Judge, City Civil Court, Secunderabad, pending disposal of CCCA No.260 of 2019, on the file of the High Court.

For the Appellant : SRI SUDHAKAR RAO KULKARNI, Advocate (not present)

For the Respondent : SRI THOMAS GEORGE, Advocate

The Court delivered the following : JUDGMENT

THE HON'BLE Dr. JUSTICE G. RADHA RANI

C.C.C.A. No.260 of 2019

JUDGMENT:

This appeal is filed challenging the judgment dated 01-03-2019 passed in O.S. No.118 of 2012 by the I Additional Chief Judge, City Civil Court, Hyderabad.

2. When the matter is taken up for hearing, there is no representation by the learned counsel for the appellant.

3. Learned counsel for the respondent submitted that on 24.09.2021 in I.A.No.1 of 2019 this Court granted stay in favour of the appellant on condition of depositing 50% of the decretal amount, but the appellant had not complied with the said order till date.

4. In view of the submission of the learned counsel for the respondent, it is considered fit to dismiss the appeal as the appellant had not complied with the order dated 24-09-2021 passed in I.A.No.1 of 2019.

5. Accordingly, the appeal is dismissed. No order as to costs. Miscellaneous Applications, if any pending, shall stand closed.

//TRUE COPY//

Sd/-K.SRINIVASA RAO
JOINT REGISTRAR

SECTION OFFICER

To

1. The I Additional Chief Judge, City Civil Court, Secunderabad.
2. One CC to Sri Sudhakar Rao Kulkarni, Advocate [OPUC]
3. One CC to Sri Thomas George, Advocate [OPUC]
4. Two CD Copies

Kj.

HIGH COURT

DATED:08/02/2023

JUDGMENT

CCCA.No.260 of 2019



DISMISSING CCCA WITHOUT COSTS.

⑥ VW
18/3/23