

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

**MONDAY, THE TWENTY EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE SAMBASIVARAO NAIDU

SECOND APPEAL NO: 1427 OF 2018

Appeal under section 100 r/w Order 42 Rule 1 of C.P.C aggrieved by the judgment and decree dated 22-6-2018 in A.S.No. 112 of 2016 on the file of VI Additional District Judge, Mahabubabad preferred by the judgment and decree dated 31-08-2016 in O.S.No. 76 of 2009 on the file of the Senior Civil Judge, Mahabubabad.

Between:

Sriram Chandran Kumar, S/o Nageshwar Rao, aged about 39 years, Occup: Business, R/o Kesamudrarn Village, and Mandal Mahabubabad District.

...APPELLANT/Def.No.1

AND

1. Yerram Shoba Rani, W/o Srinivas, aged about 36 years Occup: Housewife R/o Huzurabad village and Mandal Karimnagar District

...RESPONDENTS/PLAINTIFF

2. Sriram Meera Bai W/o Nageshwar Rao (Died)

...RESPONDENT/D.No.2

IA NO: 1 OF 2018

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 the execution of the judgment and decree dated 22-06-2018 in A.S.No.112 of 2016 on the file of the VI Addl. Dist Judge Mahabubabad confirming the judgment and decree in OS.no.76 of 2009 passed by the Sr. Civil Judge at Mahabubabad

Counsel for the Appellant: SRI. BANKATLAL MANDHANI (NOT PRESENT)

Counsel for the Respondents: SRI. M. RAMA RAO

The Court made the following: JUDGMENT

THE HONOURABLE SRI JUSTICE SAMBASIVA RAO NAIDU

SECOND APPEAL NO.1427 OF 2018

JUDGMENT :

None appeared for the appellant, though the matter was listed today under the caption 'for dismissal'. On the face of the proceeding sheet, on 22.06.2023 learned counsel for appellant has informed this Court that the matter has been adjusted between the parties. Since then there was no representation for the appellant and that today this Court is informed by learned counsel for the respondents that the matter has been adjusted between the parties, thereby, the appellant did not turn up. Thus, it appears that the appellant is not interested to prosecute the matter vigilantly and diligently anymore. Therefore, this appeal is liable to be dismissed for non-prosecution.

2. Accordingly, this appeal is dismissed for non-prosecution.

Pending miscellaneous application, if any, shall stand closed.

Sd/- K. SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VI Additional District Judge, Mahbubabad
2. The Senior Civil Judge, Mahabubabad.
3. One CC to SRI. BANKATLAL MANDHANI, Advocate [OPUC]
4. One CC to SRI. M. RAMA RAO, Advocate [OPUC]
5. Two CD Copies

TYH/VH

HIGH COURT

DATED: 28/08/2023



JUDGMENT

SA.No.1427 of 2018

**DISMISSING THE
SECOND APPEAL
FOR NON-PROSECUTION**

⑦ *SVW*
27/11/24