IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

WEDNESDAY ,THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA KRISHNA RAO

APPEAL SUIT NO: 2984 OF 2004

Appeal filed under Section 96 of C.P.C. aggrieved by the Judgment and Decree in O.S.No.78/1998,dated.28/1/2002,on the file of Additional Senior Civil Judge,Kurnool.

Between:

G.Abdul Khaliq, S/o.Mohammed Ibrahim, aged about 50 years, R/o.Door No.22-4, Sector-1, Pushp Vihar, New Delhi -110 017

...Appellant/Defendant

AND

G.Lakshmidevamma, W/o.G.C.Lakshmanna, aged about 45 years, Occ: Household & living by property, R/o.Door NO.56/22, Khanderi Street. Kurnool.

...Respondent/Plaintiff

I.A. NO: 3 OF 2003(CMP. NO: 25859 OF 2003)

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 grant stay of all further proceedings of the decree dtd.28/1/2002 passed by the Additional Senior Civil Judge,Kurnool in O.S.NO.78/1998 including the execution of sale deed pending disposal of the above appeal.

Counsel for the Appellant : Sri S. Sharat Kumar – not present

Counsel for the Respondents: Sri K. Sita Ram

The Court made the following:

THE HON'BLE SRI JUSTICE V.GOPALA KRISHNA RAO

APPEAL SUIT No.2984 of 2004

JUDGMENT:

When the matter came up for hearing on 13.03.2024, there is no representation on behalf of the appellant and the learned counsel for the respondents has submitted that the sole-appellant was died on 09.05.2021 and to that effect a Memo was also filed before the Registry. Recording the same, for taking steps, if any, the matter was posted to today.

2. Today when the matter came up for hearing, for taking steps, if any, there is no representation on behalf of the appellant. Learned counsel for the respondents alone is present.

Therefore, the Appeal Suit is dismissed as abated. No costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

SD/- V. DIWAKAR
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Senior Civil Judge, Kurnool, Kurnool District **(with records if any)**
2. One CC to Sri S. Sharat Kumar, Advocate [OPUC]
3. One CC to Sri K. Sita Ram, Advocate [OPUC]
4. The Section Officer, VR Section, High Court of Andhra Pradesh at Amaravathi
5. **Three CD Copies.**

stu
ssb

HIGH COURT

DATED:20/03/2024

JUDGMENT



AS.No.2984 of 2004

7 Copies
TP
4/5/24

DISMISSING THE APPEAL SUIT AS ABATED