APHC010184081998

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

TUESDAY, THE 24th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI

APPEAL SUIT NO: 1489 OF 1998

Between:

1. Nemichand Sankhla, (died) per Lrs of Appellants 2 and 3, S/o late Deepchandji, Oswal Jain, R/o 28-2-52/1, Jagadamba Center, Surya Bagh, Vishakapatnam.

2. Praveen kumar sankhla, S/o late Nemichand Sankhla, Aged 47 years 12-1-22, Kannayyapeta Road Near Hotel Green Park, Above State Bank Of Bikaner , and Jaipur, Visakhapatnam 530002.

3. Manmohan Kumar Sankhla Jain, S/o Late Nemichand Sukhla, aged about 45 years Flat No.204, Beta Block, Jayaberi Silicon Country, Near Kondapur Creoss Roads Hyderabad- 500084.

Appellants 2 and 3 are brought on record as lr of deceased sole appellant as per the Court Order dated 21.7.2016 made in ASMP No.945/16.

...APPELLANTS

AND

M/s American Silk Stores, 28-2-52/1, Jagadamba Center, Suryabagh, Vishakapatnam, Rep by its Partner Sri Prem Ramchan Mirpuri, R/o 28-2-52/1, Main Road,

...RESPONDENT

Appeal filed Under Section 96 of CPC before the High Court , appeal against the judgment & decree of the II Addl. Subordinate Judge, Vishakapatnam passed in OS No.354/92 dt.9.5.97

IA NO: 1 OF 2001(CMP 16310 OF 2001

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 expedite and fix a date for hearing of the appeal AS No.1489/98 filed against OS No.354/92 in the interest of justice

IA NO: 1 OF 2016(ASMP 945 OF 2016

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 bring the Appellants No. 2 and 3 as LR's of the Sole Appellant in AS No. 1489 of 1998 and pass

IA NO: 2 OF 2016(ASMP 5502 OF 2016

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

Counsel for the Appellants: P R PRASAD

Counsel for the Respondent T S ANAND

The Court made the following order:

HON'BLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI

A.S.No.1489 of 1998

O R D E R:

This appeal is filed by the Appellants under Section 96 of the Code of Civil Procedure, 1908 against the decree and Judgment dated 09.05.1997 passed in O.S.No.354 of 1992 on the file of II Additional Sub-ordinate Judge, Visakhapatnam.

3. None appeared for Appellants and Respondent.

4. As directed by this Court, in the previous proceedings, Registry sent notices to the Appellants and Respondent. As per record, sole Appellant died. Legal representatives of deceased sole Appellant were brought on record as Appellant Nos.2 and 3. This matter is of the year 1998.

5. It is reported that learned counsel for Appellants was no more. As such, notices were ordered to the Appellants. Registry placed a report stating that notice to Appellant No.2 served; notice to Appellant No.3 returned as unclaimed; notice to Respondent returned as no such person available in the address. Notice is held sufficient.

6. Since there is no representation to prosecute the matter, despite of service of notice, this Appeal is hereby dismissed for non-prosecution. No costs.

As a sequel, pending interlocutory applications, if any, shall stand closed.

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JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI

Date: 24.11.2026

VSR