

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

**THURSDAY THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

APPEAL SUIT NO: 165 OF 2010

Appeal Under Section 96 of C.P.C against the Judgment and Decree Dated 08-10-2009 made in O.S.No. 190 of 2004 on the file of the Court of IV Additional Senior Civil Judge (FTC), Ranga Reddy District at L.B. Nagar.

Between:

Biswajith Nath, S/o. Late J.Nath, Occ: Service, R/o. 259/B, Doyes Township, Sherilingampally, Hyderabad. **...APPELLANT**

AND

1. P.Shantharam, S/o. Subhashiva Rao, Employee R/o. 2220, West Mission Lanes Apartments, No. 2199, Phoneix AZ-85021, USA. Rep. by his GPA Mr.P.Srinivas Rao, S/o. Sambasiva Rao, aged 38 years, R/o. Thotal Palem, Peruru Post, Amalapuram, East Godavari District.
2. K.Srinivas Reddy, S/o. Narasimha, aged major R/o. Flat No. 405, Sree Towers, Chanda Nagar, Hyderabad. 42

(2nd respondent above is not necessary party to this appeal)

...RESPONDENTS

ASMP. NO: 461 OF 2010

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 suspend the operation of the judgment and decree in O.S.No. 190 of 2004, dated 08-10-2005 on the file of the IV Additional Senior Civil Judge (FTC), R.R.District, L.B. Nagar.

Counsel for the Appellant :SRI. R. SUDHEER (Not appeared)

Counsel for the Respondent No.1 : SRI S. M. SUBHAN

Counsel for the Respondent No. 2 : None appeared

The Court made the following:

THE HONOURABLE SMT JUSTICE P. SREE SUDHA

APPEAL SUIT NO. 165 OF 2010

JUDGMENT:

Plaintiff filed O.S.No.190 of 2004 on the file of IV Additional Senior Civil Judge (FTC) at L.B.Nagar, R.R.District for Specific performance and the same was decreed, against which the defendants therein preferred the present Appeal Suit before this Court.

2. 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 19.08.2023 there was no representation on behalf of the learned counsel for the appellant and the matter was directed to be listed under the caption 'for dismissal'. Even today also, there is no representation for the appellant. No purpose would be served in continuing the Appeal Suit.

3. Accordingly, the Appeal Suit is dismissed for non-prosecution.
No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

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Sd/- K. SAILESHI
DEPUTY REGISTRAR
SECTION OFFICER

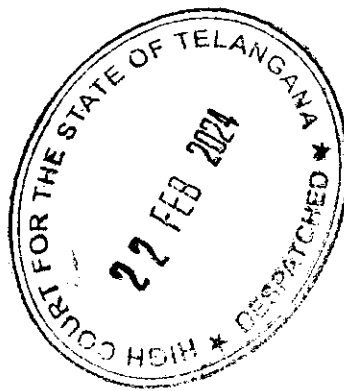
To,

1. The IV Additional Senior Civil Judge (FTC), Ranga Reddy District at L.B. Nagar (With Records)
2. One CC to Mr. R. SUDHEER, Advocate [OPUC]
3. One CC to Mr. S. M. SUBHAN, Advocate [OPUC]
4. Two CD Copies

KP/DL 8

HIGH COURT
DATED:21/09/2023

JUDGMENT
AS.No.165 of 2010



DISMISSING THE AS
FOR NON-PROSECUTION

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