

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE TWENTIETH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE



PRESENT

THE HONOURABLE SRI JUSTICE V. GOPALA KRISHNA RAO

APPEAL SUIT NO: 322 OF 2007

Appeal filed under Section 96 of C.P.C, against the decree and judgment passed in O.S No. 553/2004 on the file of the Court of the I Additional Senior Civil Judge, Kakinada dated 03-04-2007.

Between:

M/s. N.C.S. Storare Systems Pvt. Ltd, Rep. by its Director N Murali, Head Office at 405, Meenar Apartments, Deccan Towers, Basheerbagh Hyderabad.

...Appellant/Defendant

AND

V.V.S.N.Murthy, S/o Venkata Subbayya, Aged 64 years, Business, D.No.4-31, Water Tank Street, Turangi, Kakinada Rural Mandal, East Godavari District

...Respondent/Plaintiff

I.A. NO: 1 OF 2007(ASMP. NO: 1191 OF 2007)

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 decree and judgment in OS No. 553/2004 on the file of the I Additional Senior Civil Judge, Kakinada.

Counsel for the Appellant: SRI N.V. ANANTHA KRISHNA

Counsel for the Respondent: SRI E.V.V.S. RAVI KUMAR

The Court made the following:

THE HON'BLE SRI JUSTICE V.GOPALA KRISHNA RAO

APPEAL SUIT No.322 of 2007

JUDGMENT:

When the matter was listed on the last two occasions i.e., on 10.11.2023 and 17.11.2023, none appeared on behalf of the appellant and learned counsel for the respondent is present.

2. Today also, there is no representation on behalf of the appellant, even though the matter is listed under the caption 'For Dismissal'. Learned counsel for the respondent is present.

3. Hence, the appeal is dismissed for non-prosecution. No costs. As a sequel, miscellaneous petitions, if any pending, shall stand closed.

**SD/- K TATA RAO
DEPUTY REGISTRAR**

CKe

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional Senior Civil Judge, Kakinada (**with records if any**)
2. One CC to Sri N.V. Anantha Krishna, Advocate [OPUC]
3. One CC to Sri E.V.V.S. Ravi Kumar, Advocate [OPUC]
4. The Section Officer, VR Section, High Court of Andhra Pradesh at Amaravati
5. Three CD Copies

**MV
sree**

P. Gowthami

HIGH COURT

DATED: 20/11/2023

JUDGMENT

AS.No.322 of 2007

**DISMISSING THE APPEAL SUIT
FOR NON-PROSECUTION WITHOUT COSTS**

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