

**THE HON'BLE SRI JUSTICE D.V.S.S. SOMAYAJULU**

**IA No.1, I.A. No. 2 & I.A.No.3 of 2016 IN/AND**

**A.S.No.1246 of 1997**

**ORDER:**

I.A.No.1 of 2016 is filed to condone the delay (126 days) in filing the application to set aside the abatement insofar as the appellant No.1 is concerned.

I.A.No.2 of 2016 is filed to set aside the abatement.

I.A.No.3 of 2016 is filed to bring the Petitioner Nos. 2 and 3 on record as Legal Representatives of the deceased appellant No.1.

The learned counsel for the petitioners filed Memos in all the above three applications stating that the petitioner No.2 Sri K.Satyanarayana Murthy in these applications died on 3.2.2018. The petitioner No.3 is the only son and legal representative of the petitioner No.2.

Three memos are recorded.

The learned counsel for the respondents has no serious objections in allowing the above three applications.

All these interlocutory applications are ordered.

Registry is directed to carryout necessary changes.

In addition, Sri J.Prabhakar, learned counsel for the appellant No.3 filed a Memo, which has been signed by the appellant No.3 stating that their grievance in this appeal has already been redressed in a Judgment passed by the I Additional District Judge, East Godavari District in S.A.No.1105 of 2004. The obstruction is also removed.

Hence, the cause in the appeal does not survive.

Recording the said submission and in view of contents of the Memo, the appeal is dismissed.

Miscellaneous petitions, pending if any, shall stand closed. No order as to costs.



**D.V.S.S. SOMAYAJULU, J**

**Date:25.06.2018**  
Slk

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