

SUPREME COURT OF INDIA

K.Sarannappa

Vs.

A.Chandrakant

C.A.No.4308 of 2008

(Tarun Chatterjee and Aftab Alam JJ.)

10.07.2008

ORDER

1. Leave granted.

2. This appeal is directed against an order passed by the High Court of Judicature of Andhra Pradesh at Hyderabad in CMAMP No.2194 of 2007 in CMA No.169 of 2007. On perusal of the impugned order, we find that the appeal itself was fixed for final hearing in the second week of June, 2008. Learned counsel appearing on behalf of the appellant submits, on instruction, that in spite of the aforesaid direction made by the High Court, the appeal has neither been listed nor has been decided by the High Court. Considering the facts and circumstances of the present case, we are of the view that this appeal can be disposed of only by requesting the High Court to decide the pending appeal on merits and in accordance with law within two months from the date of supply of a copy of this order without granting any unnecessary adjournment to either of the parties. We order accordingly. The appeal is accordingly disposed of.

3. However, if the appeal is not decided within the time stipulated hereinabove, it will be open to the appellant to make an application for further direction.