

IN THE COURT OF APPEAL, FIJI
[On Appeal from the High Court]

CIVIL APPEAL NO. ABU 0045 of 2025
[In the Suva High Court Action No. HBC 138 of 2021]

BETWEEN : **RAJNAL ROHNESH KUMAR** of Lot 24, Vuci South Road,
Nausori.

1st Appellant

PARMESHNI LATA a Lot 24, Vuci South Road, Nausori.

2nd Appellant

AND : **NAGARAJU THAANDU** of Auckland, New Zealand.

Respondent

Coram : **Prematilaka, RJA**

Counsel before : **Mr. M.H.M. Ajmeer for the Appellants**
the Chief Registrar : **Mr. S. Sharma for the Respondent**

Date of Notice of
Discontinuance : **21 August 2025**

Date of Ruling : **15 September 2025**

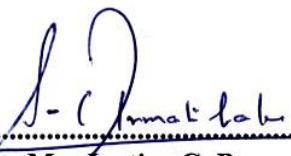
RULING IN CHAMBERS

- [1] The court file along with the notice of discontinuance was forwarded to me for a ruling in Chambers on 26 August 2025.
- [2] The appellants (original defendants) had filed a notice of appeal on 20 May 2025 containing grounds of appeal against the High Court judgment delivered on 08 May 2025.
- [3] Security for cost of \$3000.00 had been determined on 17 July 2025 by the Chief Registrar and duly paid on 12 August 2025 by the appellants.
- [4] However, the solicitors for the appellants had on 21 August 2025 filed a Notice of Discontinuance seeking to discontinue the appeal.

Orders of the Court:

- [1] *The application by the appellant to withdraw/discontinue the appeal is allowed.*
- [2] *Appeal is accordingly dismissed in terms of section 20(1)(h) of the Court of Appeal Act.*
- [3] *No order as to cost.*




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Hon. Mr. Justice C. Prematilaka
RESIDENT JUSTICE OF APPEAL

Solicitors:

S Nand Lawyers for the Appellants
MESSRS Patel & Sharma for the Respondent