

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

S.A.No. 529 OF 2016

DATED 18TH NOVEMBER, 2016

Between:

Pentakota Thota Naga Padma Rajeswari
Saraswathi Srujana

... Appellant

AND

Pentakota Ramajoginaidu @ Baburao and others

.... Respondents

Counsel for the appellant : Sri P.Rajasekhar

Counsel for the respondents : --



THE COURT MADE THE FOLLOWING

JUDGMENT:

This second appeal arises out of judgment dated 10-02-2015 in A.S.No. 105 of 2007 on the file of the Court of X Additional District and Sessions Judge, Visakhapatnam at Anakapalle (for short, 'the lower Appellate Court'), whereby he has reversed the decree of the trial Court to the extent of item No. 3 of plaint A schedule property.

2. I have heard Sri P.Rajasekhar, learned counsel for the appellant, and perused the record.

3. It is not in dispute that item No. 3 of plaint A schedule property was purchased by respondent No. 6 under registered sale deed dated 30-06-1960 marked as Ex.B3. Respondent No. 6 has also filed Ex.B1 pattadar passbook and Ex.B2 title deed issued in her name. Based on this documentary evidence, the lower Appellate Court has reversed the decree of the trial Court to the extent of item No. 3 of plaint A schedule property. In the light of these undisputed facts, I am of the opinion that the lower Appellate Court has rightly interfered with the decree of the trial Court to the extent of the aforementioned item and no substantial question of law arises for consideration in this second appeal.

4. For the aforementioned reasons, the second appeal is dismissed.

C.V.NAGARJUNA REDDY, J.

Date: 18-11-2016.

JSK