

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY
AND
THE HONOURABLE SRI JUSTICE M. LAXMAN**

**AS.MP.No.2336 OF 2017
IN
APPEAL SUIT NO.603 OF 2003**

Petition under Order IX Rule 4 R/w Section 151 of CPC praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to set aside the dismissed order dated 25.01.2016 and restore the appeal AS No.603 of 2003.

Between:

The APSRTC, rep. by its Managing Director, Musheerabad, Hyderabad.

...PETITIONER/PETITIONER

AND

1. Tammara Ahalya, W/o Seshagiri Rao, R/o Kodad, Nalgonda District.
2. N. Laxmaiah, S/o Rangaraj, R/o Kodad, Nalgonda District.
3. N. Ranga, S/o Rama Murthy, R/o Kodad, Nalgonda District.
4. The State of A.P., rep. by R.D.O. (LAO), Miryalaguda, Nalgonda District.

...RESPONDENTS/RESPONDENTS

The Petition coming on for hearing, upon perusing the petition and affidavit filed in support thereof and upon hearing the arguments of Sri A. Ravi Babu, Advocate for the Petitioner and of Sri Palle Nageswar Rao, Advocate for the Respondent Nos.1 to 3 and Govt. Pleader for Appeals, for the Respondent No.4.

The Court made the following: ORDER

This application is filed to restore the appeal to its file by setting aside the dismissal order dt.25.01.2016.

Learned counsel for the appellant Sri A.Ravi Babu submits that initially the appeal was filed by Sri K.Harinath, the then Standing Counsel for petitioner

Corporation; that subsequently the Standing Counsel for petitioner Corporation was changed, but the appeal remained in the name of previous counsel. On 25.01.2016 when the appeal was dismissed, since the appeal is listing in the name of previous counsel, none appeared for petitioner on 25.01.2016 and this Court dismissed the appeal for non-prosecution.

The reason stated by the learned counsel for petitioner is not seriously disputed by the learned counsel for respondents.

In view of the facts and circumstances, this application is allowed and the appeal is restored to its file. As a consequence, the interim order granted earlier by this Court gets restored.

//TRUE COPY//

SD/- B.S. CHIRANJEEVI
JOINT REGISTRAR


SECTION OFFICER

To,

1. The Senior Civil Judge, Suryapet, Nalgonda District.
2. One CC to Sri A. Ravi Babu, Advocate [OPUC]
3. One CC to Sri Palte Nageswar Rao, Advocate [OPUC]
4. Two CCs to the Govt. Pleader for Appeals, High Court for the State of Telangana at Hyderabad. [OUT]
5. The Section Officer, Appeal Filing Section, High Court for the State of Telangana at Hyderabad.
6. The Section Officer, V. R. Section, High Court for the State of Telangana at Hyderabad.
7. Two CD Copies
8. One Spare Copy

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HIGH COURT

DATED: 22/03/2022



ORDER

AS.MP.No.2336 OF 2017

IN

APPEAL SUIT NO.603 OF 2003

APPEAL RESTORED TO FILE

(9)

VLW
29/4/22