

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

THE HON'BLE MS JUSTICE J.UMA DEVI

CIVIL MISCELLANEOUS APPEAL No.367 of 2017

28.07.2017

Between:

Gadde Prakasha Rao

..Appellant

and

Lanka Suryanarayana

..Respondent

Counsel for the appellant: Mr.Sajja Srirama Suryam

Counsel for the respondent: Mr.Khambhampati Ramesh Babu

The Court made the following:



JUDGMENT: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This civil miscellaneous appeal arises out of order, dated 30.11.2016, in I.A.No.1180 of 2015 in O.S.No.177 of 2015 on the file of II Additional District Judge, West Godavari District at Eluru.

2. A perusal of the order under appeal shows that the Court below has furnished a certified copy of the order which from para 8 onwards pertain to an order in a case unconnected with I.A.No.1180 of 2015 in O.S.No.177 of 2015. This fact is admitted by the learned counsel for the appellant. Therefore, this appeal cannot be adjudicated on merits based on the order copy filed by the appellant as supplied by the Court below.

3. The Civil Miscellaneous Appeal is, accordingly, dismissed, however, with liberty to the appellant to file a fresh C.M.A. after obtaining true and correct copy of order, dated 30.11.2016, in I.A.No.1180 of 2015 in O.S.No.177 of 2015 passed by the Court below. Since true and correct original copy of the order under appeal has been summoned by this Court and the same is in the custody of the Registry as per order, dated 14.07.2017, the appellant is permitted to apply for a certified copy thereof to the Registrar (Judicial) of this Court. On such application, he shall be furnished a certified copy thereof. The appellant is permitted to apply for certified copy within a period of one month from today. If the appeal is filed within two weeks of receipt of the certified copy, the same shall be entertained without raising any objection on the limitation.

4. As a sequel to dismissal of the appeal, C.M.A.M.P.No.637 of 2017 filed by the appellant for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

J.UMA DEVI, J

