

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

THURSDAY, THE TWENTIETH DAY OF OCTOBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

SECOND APPEAL NO: 876 OF 2014

Appeal under Section 100 of C.P.C. aggrieved by the Judgment and Decree passed in dated 20-06-2014 made in A.S.No.33 of 2012 on the file of the Court of the Principal District Judge, Khammam, Khammam District, Preferred in the Judgement and Decree passed dated 12-09-2011 in O.S. No. 620 of 205 on the file of the Court of the III Additional Junior Civil Judge, Khammam, Khammam District.

Between:

Yepuri Laxmi, W/o China Ramalingaiah, Age: 57 years, Occ: Household R/o Vootukuru Village, Makepally Mandal, Khammam District.

...APPELLANT/RESPONDENT NO.1/PLAINTIFF

AND

1. Yepuri Koteswari, W/o China Ramalingaiah Age: 55 years, Occ: Agriculture and Business R/o H.No.6-3-52/5A, Bank Colony, Khanapuram Haveli, Khammam Urban Mandal, Khammam Dist.

...RESPONDENT/APPELLANT/DEFENDANT NO. 2

2. Yepuri China Ramalingaiah, S/o late Papaiah Age: 70 years, Occ: Agriculture R/o H.No.6-3-52/5A, Bank Colony, Khanapuram Haveli, Khammam Urban Mandal, Khammam Dist.

...RESPONDENTS/RESPONDENT NO.2/DEFENDANT NO.1

I.A. NO: 2 OF 2014(SAMP. NO: 2494 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed herewith, the High Court may be pleased to stay the operation of the judgment and decree passed in AS.No. 33 of 2012 dt. 20/06/2014 by the learned Principal District Judge, Khammam, Khammam District in so far as plaint "B" schedule property as referred in para No. 2 of the impugned judgment, pending disposal of the main Second Appeal.

Counsel for the Appellant: SRI. SREENIVASA RAO RAVULAPATI

Counsel for the Respondents:

The Court made the following: ORDER

THE HON'BLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

SECOND APPEAL No.876 of 2014

ORDER:

This application is reported by the learned counsel for the appellant that, the party has taken the bundle from him with no objection Vakalat in the year, 2019.

Though the matter is coming up for hearing since one year, none appeared for the appellant.

Therefore, this court is constrained to dismiss the second appeal for default and for non-prosecution with a liberty that whenever the appellant comes with a restoration application, it can be restored if the cause of action survives.

With the above observations, the Second Appeal is dismissed for non-prosecution. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

**Sd/- T. KRISHNA KUMAR
DEPUTY REGISTRAR**

SECTION OFFICER

To,

1. The Principal District Judge, Khammam, Khammam District
2. The III Additional Junior Civil Judge, Khammam, Khammam District.
3. Yepuri Laxmi, W/o China Ramalingaiah, Age: 57 years, Occ: Household R/o Vootukuru Village, Makepally Mandal, Khammam District.
4. One CC to SRI. SREENIVASA RAO RAVULAPATI, Advocate [OPUC]
5. Two CD Copies

NJB
PSR

HIGH COURT

DATED: 20/10/2022

ORDER

SA.No.876 of 2014



**DISMISSING SECOND APPEAL
FOR NON-PROSECUTION**

⑦ VLW
22/2/23