IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

SECOND APPEAL NO: 256 OF 2022

Appeal under Section 100 of CPC against the Judgment and Decree dated 29-12-2021 made in A.S.No.18 of 2018 on the file of the Court of the Senior Civil Judge at Narayanpet, preferred against the Judgment passed in O.S.No.22 of 2009 dated 05-03-2018 on the file of the Court of the Junior Civil Judge, Kodangal.

Between:

Kawali Venkatiah, S/o. Kawali Mogulaiah, Age 60 years, R/o. Lagcheral Village of Boraspet Mandal, Narayanpet District

...Appellant

AND

1. Kawali Bheemaiah, S/o. K. Mogulaiah Age 48 yrs, Occ. Agril., and Lecturer R/o Lagcherla Village of Bomraspet (M) Naraynpet Dist

...Respondent / Plaintiff

2. K. Kawali Kistamma, W/o. Late Kawali Sayanna, Age 60 yrs, R/o. H.No.5-5-177/1 Yadaiah Building, Omnagar, Nampally, Hyderabad
3. Kawali Srinivas, S/o. Late Kawali Sayanna, Age 22 yrs, R/o. H.No.5-5-177/1 Yadaiah Building, Omnagar, Nampally, Hyderabad
4. Kawali Kankaih, S/o. Kawali Mogulaiah, Age 44 yrs, Occ. Telugu Pandit, R/o. LMG High School, Begum Bazar, Hyderabad
5. Kawali Umamaheswari, W/o. Late Kawali Kankaiah, Age 49 yrs, H.No.3-8-16 Sai Jyothi Nilyam Nehrunagar, Ramanthapur, Uppal Mandal, Hyderabad
6. Kawali Jayaprakash, S/o. Late Kawali Kankaiah, Age 25 yrs, H.No.3-8-16 Sai Jyothi Nilyam Nehrunagar, Ramanthapur, Uppal Mandal, Hyderabad
7. Kawali Saikiran, S/o. Late Kawali Kankaiah, Age 22 yrs, Appellant of H.No.3-8-16, Sai Jyothi Nilyam Nehrunagar, Ramanthapur, Uppal Mandal, Hyderabad

...Respondent / Defendants

Respondent No.2 to 7 are not a formal party to this S.A.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation of judgment and decree dated 05/03/2018 passed in O.S.No.22 of 2009 by the Junior Civil Judge, Kodangal as confirmed by the Appellate Court i.e., Hon'ble Senior Civil Judge, Narayanpet by orders and decree dated 29/12/2021 passed in A. S. No. 18 of 2018 during pendency of second appeal.

Counsel for the Appellant : **Sri Kawali Venkatiah [Not Present]**

Counsel for the Respondent No 1 : **Sri G L Narasimha Rao**

The Court delivered the following Judgment :

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

SECOND APPEAL No.256 OF 2022

JUDGMENT:

This appeal is filed challenging the decree and judgment dated 29.12.2021 in AS No.18 of 2018 passed by the Senior Civil Judge, Narayanpet, whereby the judgment dated 05.03.2018 in OS No.22 of 2009 on the file of the Junior Civil Judge, Kodangal has been affirmed.

2. On the earlier date of hearing i.e., 02.01.2025, learned counsel for the appellant submitted that the appellant had obtained NOC from their office, whereupon, the Office is directed to list this matter under the caption 'for dismissal'. Accordingly, the matter is listed today, however, there is no representation for the appellant. As the circumstances are evidencing that the appellant is not evincing any interest to prosecute the case, this Court is left with no option but for dismissing the appeal for non-prosecution.

3. In the result, the Second Appeal is dismissed for default.

As a sequel, miscellaneous applications if any, stands closed.

Sd/- I. NAGA LAKSHMI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Senior Civil Judge at Narayanpet. (With Records, if any)
2. The Junior Civil Judge, Kodangal
3. One CC to Sri Kawali Venkatiah, Advocate [OPUC]
4. One CC to Sri G L Narasimha Rao, Advocate [OPUC]
5. Two CD Copies

VA/DL

kp

HIGH COURT

DATED:21/01/2025



JUDGMENT

SA.No.256 of 2022

DISMISSING THE APPEAL FOR DEFAULT

(7)

KP
10/2/25