APHC010309682024

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI (Special Original Jurisdiction)

[3327]

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CIVIL REVISION PETITION NO: 1587/2024

Between:

1. KAPPALA VISWANADHAM, S/O. BUTCHIRAJU AGED 61 YEARS, R/O. D.NO. 3-143, UTTARAKANCHI VILLAGE, PRATHIPADU MANDAL, EAST GODAVARI DISTRICT.

2. KURRU THASU @ NAGESWARARAO,, S/O. LOVARAJU, AGED 63 YEARS, R/O. D.NO. 1-158, BWHIND PEDA RANAKAYAM, UTTARAKANCHI VILLAGE, PRATHIPADU MANDAL, EAST GODAVARI DISTRICT.

3. CHINNARI KRISHNARJUNA MURTHY @ KRISHNA, S/O. VENKATARAO, AGED 46 YEARS, R/O. D.NO. 4-46, PRESENT LAMPAKALOVA VILLAGE, BUT SHOWN IN DECREE AS UTTARAKANCHI VILLAGE, PRATHIPADU MANDAL EAST GODAVARI DISTRICT.

4. SAMIREDDY RAJABABU,, S/O. APPARAO, AGED 41 YEARS, R/O. D.NO. 2-57, UTTARAKANCHI VILLAGE, PRATHIPADU MANDAL, EAST GODAVARI DISTRICT

...PETITIONER(S)

AND

1. YERRALA NAGARAJU, S/O. PENTAYYA, AGED 54 YEARS, R/O. D.NO. 1-2-21/51, DOMALAGUDA, HYDERABAD PRESENT D.NO. 6-21-118, FLAT NO. 12, R AND D ENCLAVE, SIKH VILLAGE, TADIBANDA AREA, SECUNDERABAD-9, TELANGANA STATE.

...RESPONDENT

Petition under Article 227 of the Constitution of India/ Section 115 of CPC, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to Aggrieved by the Decree and Order dated. 8-5-2024 in I.A. No. 318 of 2019 in A.S. No. 121 of 2019 on the file of the court of VII Additional District Judge (FTC), Peddapuram, East Godavari District the above name petitioners beg to present this memorandum of Civil Revision Petition on the following and among other.

IA NO: 1 OF 2024

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 all further proceedings pursuant to the Judgment and Decree dated 24.4.2019 passed in O.S.No.87 of 2013 on the file of Senior Civil Judge, Peddapuram pending disposal of the CRP and to pass

IA NO: 2 OF 2024

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 extend the time granted in the order dated 21.08.2024 in CRP No. 1587/2024 to deposit the cost of the suit for a period of 3 days pending disposal of the CRP and to pass

Counsel for the Petitioner(S):

1. V V SATISH

Counsel for the Respondent:

1. V SESHA KUMARI

The Court made the following:

O R D E R

The present Civil Revision Petition is filed against the Order dated 08.05.2024 passed in I.A.No.318 of 2019 in A.S.No.121 of 2019 on the file of the learned VII Additional District Judge (FTC), East Godavari district at Peddapuram.

2. The respondent/plaintiff filed O.S.No.87 of 2013 on the file of the Senior Civil Judge, Peddapuram seeking declaration of title over 'BCDE' portion of plaint plan in plaint B schedule property, for delivery of vacant possession of the said property and for mandatory injunction directing the petitioners/defendants to remove the unauthorized constructions made at BCDE portion of the plaint plan in plaint B schedule property and for costs. The trial Court, vide judgment and decree dated 24.04.2019, decreed the suit. Challenging the said judgment and decree, the petitioners/ defendants preferred A.S.No.121 of 2019 on the file of the learned VII Additional District Judge (FTC), East Godavari district at Peddapuram, along with I.A.No.318 of 2019 seeking to grant stay of execution of the decree passed by the trial Court. The appellate Court granted interim stay for a limited period and thereafter, vide

the impugned Order, dismissed the I.A.No.318 of 2019, by vacating the interim stay granted earlier. Challenging the same, the present Civil Revision Petition is filed.

3. This Court, vide Order dated 21.08.2024 in the present CRP, while issuing notice to the respondent/plaintiff, directed that there shall be *status quo* existing as on that date and also directed the petitioners/defendants to deposit suit costs before the trial Court. In Paragraph No.5 of the said Order dated 21.08.2024, this Court observed as follows:

> *"5. … Prima facie,* once the regular civil appeal is pending since 2019 and initially the interim order was granted and inspite of vacating the same, the appellate court ought to have made endeavour to decide the appeal finally."

In paragraph No.11 of the aforesaid Order, this Court clarified that the said Order will not come in the way of the Appellate Court in deciding the appeal finally.

4. Heard the learned counsel for the petitioners and the learned counsel for the respondent.

5. Today, when the matter came up for hearing, learned counsel for the petitioners, without going into the merits of the

case, seeks for a direction for disposal of A.S.No.121 of 2019 pending before the learned Appellate Court within a fixed time. Learned counsel for the respondent also consented for the same.

6. Having regard to the facts and circumstances of the case and the submissions made by the learned counsel for both sides and since the Appeal Suit is of the year 2019 and considering the age of some of the petitioners/defendants, without going into merits of the CRP, the learned VII Additional District Judge (FTC), East Godavari district at Peddapuram, is directed to dispose of A.S.No.121 of 2019, in accordance with law, within a period of six (06) months from the date of receipt of the of copy of this Order. Till disposal of the Appeal Suit, there shall be st*atus quo* on execution of Judgment and Decree dated 24.04.2019 in O.S.No.87 of 2013 on the file of the Senior Civil Judge, Peddapuram.

7. Accordingly, the Civil Revision Petition is disposed of. There shall be no order as to costs of the present Civil Revision Petition.

As a sequel, interlocutory applications pending, if any, in the Revision Petition shall stand closed.

JUSTICE K. SREENIVASA REDDY

04.11.2026
DRNR

THE HONOURABLE SRI JUSTICE K.SREENIVASA REDDY

CIVIL REVISION PETITION No.1587 of 2024

DATE: 04.11.2026

DRNR