APHC010506902026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3299]**
(Special Original Jurisdiction)

TUESDAY, THE 3rd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO: 2719/2026

Between:

1. MUKKAMALA LAKSHMI SILPA, W/O RAJA CHAND, AGED ABOUT 41 YEARS, BUSINESS AND PROPERTIES, R/O D.NO. 13-45, OPP SUB-STATION, NIDAMANURU VILLAGE, VIJAYAWADA RURAL MANDAL, KRISHNA DISTRICT.

...PETITIONER

AND

1. SREE KALESWARI TRAVELS, REPRESENTED BY ITS MANAGING PARTNER, CHALASANI RAMESH, S/O. KRISHNA RAO, AGED ABOUT 68 YEARS, D.NO.36-11-4, SANTHI NAGAR, 1ST LANE, MOGHALRAJPURAM, VIJAYAWADA, KRISHNA DISTRICT.
2. CHALASANI RAMESH, S/O KRISHNA RAO, AGED ABOUT 68 YEARS, R/O FLAT NO.301, NEW APARTMENT, YADAPALLI SATYAM STREET, 1ST RIGHT APARTMENT, KANURU, BACKSIDE OF WATER TANK ROAD OPPOSITE MANA KALYANA MANDAPAM, VIJAYAWADA, KRISHNA DISTRICT.
3. CHALASANI UMA DEVI, W/O RAMESH, AGED ABOUT 66 YEARS,R/O FLAT NO.301, NEW APARTMENT, YADAPALLI SATYAM STREET,1ST RIGHT APARTMENT, KANURU, BACKSIDE OF WATER TANK ROAD OPPOSITE MANA KALYANA MANDAPAM, VIJAYAWADA, KRISHNA DISTRICT.
4. CHALASANI NAGA TEJA, S/O RAMESH, AGED ABOUT 42 YEARS, PARTNER OF SREE KALESWARI TRAVELS, R/O FLAT NO.301, NEW APARTMENT, YADAPALLI SATYAM STREET, 1ST RIGHT

APARTMENT, KANURU, BACKSIDE OF WATER TANK ROAD,OPP MANA KALYANA MANDAPAM, VIJAYAWADA, KRISHNA DISTRICT

...RESPONDENT(S):

Petition under Article 227 of the Constitution of India,praying that in the circumstances stated in the grounds filed herein,the High Court may be pleased toMay be urged at the time of hearing, it is humbly prayed that this Honble Court may be pleased to direct the learned VII Additional District and Sessions Judge FTC, Vijayawada, to expedite the disposal of O.S. No. 77 of 2021 on the file of the learned VII Additional District and Sessions Judge FTC, Vijayawada, within the stipulated time period as this Honble Court may fix, in accordance with law, and pass any other or further order or direction as this Honble Court may deem fit and proper in the facts and circumstances of the present case.

Counsel for the Petitioner:

1. CKR ASSOCIATES

Counsel for the Respondent(S):

1.

The Court made the following:

ORDER :-

Heard Sri N.Sai Phanindra Kumar, learned counsel for the petitioner and perused the material on record.

2. The Civil Revision Petition has been filed by the revision petitioner/plaintiff seeking a direction to dispose of O.S.No.77 of 2021 on the file of the learned VII Additional District and Sessions Judge (FTC), Vijayawada.

3. For the order proposed to be passed, and having regard to the nature of the grievance raised, issuance of notice to the respondents is dispensed with.

4. Learned counsel for the petitioner submits that O.S.No.77 of 2021 was instituted seeking recovery of amount under the promissory note dated 20.09.2014. Despite the lapse of more than five years, the suit has not been disposed of and the progress of the proceedings has been unduly slow. Hence, the present Civil Revision Petition has been filed seeking a direction to the trial Court to dispose of the suit expeditiously.

5. Learned counsel for the petitioner submits that the Hon'ble Apex Court in ***Rajindra Singh (Dead) through LRs and Others v. Prem Mai and Others***[1], , has observed and held that speedy disposal of cases and speedy justice are facets of Article 21 of the Constitution of India, and has

[1] (2007) 11 SCC 37

deprecated delay in the disposal of cases. He has placed emphasis on paragraph Nos. 9 to 11 of the judgment, which read as under:

> ***"9.*** *Before parting with this case we would like to express our anguish at the delay in disposal of cases in our law courts. The present case is a typical illustration. A suit filed in 1957 has rolled on for half a century. It reminds one of the case* ***Jarndyce v. Jarndyce*** *in Charles Dickens' novel Bleak House which had rolled on for decades, consuming litigants and lawyers alike.*
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> ***10.*** *We may quote a passage from Bleak House written in Dickens' inimitable style:*
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> > "Jarndyce and Jarndyce drones on. This scarecrow of a suit has, in course of time, become so complicated, that no man alive knows what it means. The parties to it understand it least; but it has been observed that no two Chancery lawyers can talk about it for five minutes, without coming to a total disagreement as to all the premises. Innumerable children have been born into the cause; innumerable young people have married into it; innumerable old people have died out of it. Scores of persons have deliriously found themselves made parties in Jarndyce and Jarndyce, without knowing how or why; whole families have inherited legendry hatreds with the suit. The little plaintiff or defendant, who was promised a new rocking-horse when Jarndyce and Jarndyce should be settled, has grown up, possessed himself of a real horse, and trotted away into the other world. Fair wards of court have faded into mothers and grandmothers; a long procession of Chancellors has come in and gone out; the legion of bills in the suit have been transformed into mere bills of mortality; there are not three Jarndyces left upon the earth perhaps, since old Tom Jarndyce in despair blew his brains out at a coffee house in Chancery Lane; but Jarndyce and Jarndyce still drags its dreary length before the court, perennially hopeless."

Is this not descriptive of the situation prevailing in India today?

11. *People in India are simply disgusted with this state of affairs, and are fast losing faith in the judiciary because of the inordinate delay in disposal of cases. We request the authorities concerned to do the needful in the matter urgently to ensure speedy disposal of cases if the people's faith in the judiciary is to remain."*

6. Learned counsel for the petitioner further submits that the High Court has also issued notifications in this regard. He refers to Notification No.3/SO/2016, whereby the *Case Flow Management in Subordinate Courts Rules, 2012* (for short, "the Rules, 2012") have been notified. He submits that Rule 3, which relates to the categorization of suits and other proceedings, mandates that the Presiding Officers of the subordinate courts shall categorize suits and other proceedings into Track-I, Track-II, Track-III and Track-IV in the manner specified therein and shall endeavour to dispose of the cases track-wise within the prescribed time. However, O.S. No.77 of 2021 has not been disposed of within the time prescribed for its category under the Rules, 2012.

7. Learned counsel referred to Rule 3 of the Rules, 2012, which reads as under:

"3. ***Categorization of suits and other proceedings :*** (1) The Presiding Officer of the Court shall categorize the suits: and proceedings in his Court into Track-I, Track-II, Track-III and Track-IV, in the following manner :

(a) *Track-I: Cases pertaining to (1) Maintenance, (2) Child Custody, (3) Appointment of guardian and wards, (4) Visiting rights, (5) Letters of Administration, (6) Succession Certificate, (7) Recovery of Rent, (8) Permanent injunction.*

(b) *Track-II: Cases pertaining to (1) Execution, (2) Divorce, (3) Eviction.*

(c) *Track-III Cases pertaining to (1) Partition, (2) Declaration, (3) specific performance, (4) Possession, (S) Mandatory Injunction, (6) Appeals, (7) Damages, (8) Easements, (9). Trade Marks, Copy Rights, Patents, (10) Intellectual Property, Rights."*

8. I have considered the aforesaid submissions.

9. There cannot be any dispute that the right of speedy justice flows from Article 21 of the Constitution of India. Speedy disposal, speedy justice, and the prompt disposal of cases is also the need of the day, but at the same time, there are various factors causing delays in the disposal of cases, and many times beyond the control of the court and many times adjournment is granted for the cause of justice, which need no reiteration.

10. There is also no dispute that the rules have been framed for the expeditious disposal of cases by the district Courts, with the object that there may not be delay in the disposal of cases. With that object, the categorization of cases has also been provided in Track-I to Track-IV in the manner specified, prescribing a time limit for disposal.

11. However, while the time limit is prescribed with the object of expeditious disposal, it cannot be laid down that the time limit is always mandatory. Many factors, depending on different situations and facts in each and every case demand sometimes more than the specified time limit for disposal. The time limit specified under the rules cannot be read or interpreted at the cost of justice according to law. If it is not possible to decide or dispose of the cases within the time limit, such time limit can never be considered as mandatory, though all the efforts shall be made to achieve expeditious disposal, and if possible, within the time specified.

12. On the point of direction to the learned trial Courts for disposal of the matters in specified time, in ***Sangram Sadashiv Suryavanshi V. State of Maharashtra*** [2], the Hon'ble Apex Court referring to the Constitution Bench judgment in ***High Court Bar Association, Allahabad V. State of Uttar Pradesh***[3], observed at paragraph No.7 as under :

> "In paragraph 47.3 of the decision of a Constitution Bench of in the Case of '***High Court Bar Association, Allahabad v. State of Uttar Pradesh***', this Court has held that ***in the ordinary course, the Constitutional Courts should refrain from fixing a time-bound schedule for the disposal of cases pending before any other Courts***. Paragraph 47.3 reads thus:
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> > *"47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the*

[2] 2024 SCC OnLine SC 3526
[3] (2024) 6 SCC 267

disposal of cases pending before any other courts. ***Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending****."*

13. In view of the judgment of the Hon'ble Apex Court in ***High Court Bar Association*** (supra) and finding no exceptional case to fix a time for disposal by the learned trial Court, this Civil Revision Petition is being ***disposed of*** at the stage of admission itself, providing that the learned VII Additional District and Sessions Judge (FTC), Vijayawada, shall make efforts to dispose of O.S.No.77 of 2021 along with pending I.As., as expeditiously as possible, also leaving the petitioner to approach the concerned Court for prioritizing the disposal of the suit in the decision of that Court.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

RAVI NATH TILHARI, J

Date : 03.11.2026.
RPD.

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

(DISPOSED OF)

CIVIL REVISION PETITION NO: 2719 of 2026

Date : 03.11.2026

RPD.