IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE JUSTICE B.R.MADHUSUDHAN RAO

SECOND APPEAL NO: 256 OF 2022

Appeal filed under section 100 of CPC, against the Judgment and decree passed in A.S. No 18 of 2018, dated 29-12-2021, on the file of the Senior Civil Judge at Narayanpet against the orders passed in O.S.No.22 of 2009, dated 05-03-2018 on the file 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) Narayanpet 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.

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

...Respondent/Defendants

I.A. NO: 1 OF 2022

Petition under Section 151 of 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, Senior Civil Judge, Narayanpet by orders and decree dated 29/12/2021 passed in A. S. No. 18 of 2018.

Counsel for the Appellant: Sri G Rajeshwar Rao (No Representation)

Counsel for the Respondent No.1 : Sri Kawali Bheemaiah, Party In Person

The Court delivered the following: Judgment

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

SECOND APPEAL No.256 of 2022

(CNR.No.HBHC010259952022)
DATE: 03.11.2026

BETWEEN:

Kawali Venkataiah

... Petitioner

And

Kawali Bheemaiah and 6 others

... Respondents

JUDGMENT

1. None appears for the appellant.

2. Respondent No.1-party-in-person is present and is insisting for disposal of the appeal.

3. Appellant was not diligent in prosecuting the second appeal thereby second appeal came to be dismissed vide order dated 21.01.2025 for non-prosecution. Thereafter, appellant has filed I.A.No.2 of 2025 to condone the delay of 185 days in filing the application seeking restoration of S.A.No.256 of 2022 and also filed separate application vide I.A.No.3 of 2025 to restore the second appeal. This Court vide order dated 26.02.2026 has condoned the delay of 185 days in I.A.No.2 of

2025 and also allowed I.A.No.3 of 2025 and restored the second appeal to its original file, thereafter listed the matter on 12.03.2026. From time to time, the second appeal is being adjourned and respondent No.1-party-in-person is appearing before this Court.

4. On 14.10.2026 appeal is adjourned to 03.11.2026 under the caption "For Dismissal". Appellant counsel failed to appear before this Court, appellant is not diligent in prosecuting the appeal, hence, Second Appeal is dismissed for non-prosecution.

Miscellaneous applications, if any pending, shall stand closed.

SD/- N. SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Senior Civil Judge at Narayanpet.
2. Junior Civil Judge, Kodangal.
3. One CC to Sri G Rajeshwar Rao, Advocate [OPUC]
4. Kawali Bheemaiah, S/o K. Mogulaiah Age. 48 yrs, Occ. Agril., and Lecturer R/o Lagcherla Village of Bomraspet (M) Narayanpet Dist.
5. Two CD Copies

GNK

HIGH COURT

DATED: 03/11/2026



JUDGMENT

SA.No.256 of 2022

DISMISSING THE SECOND APPEAL FOR NON-PROSECUTION

4.vg
6/11/26