

//FAIR//

IN THE COURT OF THE III ADDITIONAL JUNIOR CIVIL JUDGE AT VISAKHAPATNAM

Present : Sri. M.Srinivasa Rao,
III Additional Junior Civil Judge,
Visakhapatnam.

O.S.34/2023

Wednesday, this the 27th day of March, 2024

Between :

Plaintiff bank which is a body corporate under the Banking Companies (Acquisition and Transfer of Undertakings) Act 1980, having its Head Office at No.5-9-11, Dr.Pattabhi Bhavan, Secretariat Road, Saifabad, Hyderabad-500004 carrying on businesses in banking amongst other places a branch at Sivajipalem Branch, Visakhapatnam (hereinafter referred to as the Bank) Union Bank of India, (e-Andhra Bank), represented by its Authorized Officer, Branch Manager, Alena Sahoo, W/o.Debi Prasanna Rout, Hindu, aged 40 years, residing at Visakhapatnam.

...Plaintiff

And :

1. Bojja Lakshmi Prasad, S/o Bojja Apparao, Hindu, aged 38 years, residing at D.No.9-6-95/1, Opp: Sivajipalem Park, Sivajipalem, Visakhapatnam-530017, Aadhar No.633660122353, Phone No: 8897744474

2. Madhumurthy Mannava, S/o M.Upendra Rao, Hindu, aged 56 years, residing at D.No.1-112-25, Sector-VIII, Plot No.18/8, LIG Ushodaya Junction, MVP Colony, Visakhapatnam-530017, Aadhar No.453113769799, Phone No.8885018188.

...Defendants

This suit is coming on 27-03-2024 for final hearing before me in the presence of Sri V.Ramana and G.Ramana, Advocates for Plaintiff and the matter having stood over for consideration and this Court delivered the following :

J U D G M E N T

1. This is the suit filed by the plaintiff against the defendants for a recovery of a sum of Rs.5,02,854/- (Rupees Five Lakhs Two Thousand Eight Hundred and Fifty Four only) with subsequent interest thereon with the present rate of 10.10% p.a. at quarterly rests from the date of filing of suit till the date of realization and for costs of the suit.

2. The plaintiff called absent, no representation, inspite of repeated conditions on costs and costs not paid, the plaintiff failed to pay the process for defendants No.1 and 2, even though this Court were given ample opportunities. It seems that the plaintiff is not interested to proceed with the suit.

3. In the result, the suit is dismissed for default without costs.

Dictated to Typist and pronounced by me in the open Court, this the 27th day of March, 2024.

III Additional Junior Civil Judge,
Visakhapatnam.

APPENDIX OF EVIDENCE

No oral or documentary evidence adduced.

III AJCJ/VSP

Date of Presentation : 21-12-2022

Date of Filing : 03-01-2023

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Value of the suit for the purpose of court fee and jurisdiction is Rs.5,02,854/- and a court fee of Rs.7,726/- is paid under section 20 Schedule I Article 1 (b & c) of AP Court Fee and SV Act.

This suit is coming on 27-03-2024 for final hearing before me in the presence of Sri V.Ramana and G.Ramana, Advocates for Plaintiff and the matter having stood over for consideration and this Court doth order and ;

D E C R E E

1. that the suit be and same is hereby dismissed for default and ;
2. that there no order as to costs.

Given under my hand and the seal of this Court, this the 27th day of March, 2024.

III Additional Junior Civil Judge,
Visakhapatnam.

MEMORANDUM OF COSTS

NIL

III AJCJ/VSP.