

IN THE COURT OF IV ADDL. SENIOR CIVIL JUDGE, GUNTUR.

Present: Smt.A.Sunitha Rani,
IV Addl. Senior Civil Judge, Guntur.

Wednesday, this the 8th day of February, 2023.

O.S No.192 of 1999.

Between:

Kommineni Chandrasekhar, S/o.Venkateswararao, Hindu, A/a.30 years,
R/o.Pattabhipuram, Guntur.

... Plaintiff

-And-

1. Alapati Seetharavamma @ Seethamma (Died).
2. Doddala Ganemma, W/o.Koteswararao, Housewife, Hindu, R/o.2nd line, Rajendra nagar, Guntur.
3. Alapati Nageswara Rao (Died).
4. Rayapati Rajeswari, W/o.Nageswararao, A/a.45 years, Hindu, Housewife, R/o.1st line, Stambalagaruvu, Guntur.
5. Alapati Gopala Krishna, S/o.late Nageswararao (D3), Hindu, A/a.30 years, Corporator, Business, R/o.Stambalagaruvu, Guntur.
6. Alapati Ravi Kumar, S/o.late Nageswararao (D3), Hindu, A/a.27 years, Business, R/o.Stambalagaruvu, Guntur.
7. Mannava @ Alapati Satyavathi, D/o.late Nageswararao (D3), W/o.Raghavarao, Hindu, A/a.38 years, housewife, R/o.Stambalagaruvu, Guntur.
8. Mannava @ Alapati Sailaja, D/o.late Nageswararao (D3), W/o.Venkateswarlu, Hindu, A/a.34 years, housewife, R/o.1st line, Vidyanagar, Guntur.

(D4 to D8 are added as per orders in IA.582/2006 dt.12-6-2008).

... Defendants

This suit came before me for final hearing in the presence of Sri B.Chandrasekhar, Advocate for Plaintiff, and Sri P.Sriharirao, Advocate for D2, and Sri D.Koteswararao, Advocate for D4, and D1, D3 died, and D5 to D8 remained exparte, and the matter having stood for consideration till this day, this Court delivered following:

J U D G M E N T

The suit is filed for specific performance of suit contract of sale dt.28-10-1995 directing defendants 2 and 4 to 8 to execute a registered sale deed in favour of plaintiff in terms of suit contract of sale, failing which, the Court to execute the same in his favour on behalf of defendants at his costs; for possession of schedule property to plaintiff free from obstruction of defendants, their agents and assignees; for future profits, or in the alternative, for a decree with subsequent interest and a charge over plaint schedule property, and to award costs.

Plaintiff is called absent. None represented the plaintiff when called. The Matter is coming for plaintiff evidence and inspite of passing conditional order, plaintiff did not choose to adduce evidence. The matter is passed over at call work and again called at 11.30 a.m., 1.00 p.m. and 3.30 p.m., but none represented on behalf of plaintiff. Costs of Rs.100/- also not paid. Condition not complied.

It is appearing that the plaintiff might have lost interest over the litigation, or otherwise he has settled the dispute outside the court. Whatever may be the reason, when the suit stood for plaintiff evidence on conditional order, it is for the plaintiff to make a representation the difficulty of the plaintiff if any. The plaintiff failed to do so. The material on record and the conduct of plaintiff making him disentitle for another opportunity.

Hence the suit is dismissed for default. No costs.

Given under my hand and seal of this Court, this the 8th day of February, 2023.

Sd/- A.Sunitha Rani,
IV Addl. Senior Civil Judge,
Guntur.

Appendix of Evidence

-Nil-

Sd/- A.Sunitha Rani,
IV A.S.C.J.