

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE FOURTH DAY OF APRIL,

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE A V RAVINDRA BABU

IA No. 1 OF 2024

IN

AS NO: 90 OF 2024



Between:

1. Smt. Kakani Dynamma, W/o Late Venkaiah, Hindu, Aged 73 years, Household duties, Resident of HIG-28, Simhapuri Layout, Vepagunta Post, Visakhapatnam-530 047.
2. Miss. Kakani Balaramadevi, D/o Late Venkaiah, Hindu, Aged 51 years. Residing in Ground floor, HIG-28, Simhapuri Layout, Vepagunta Post, Visakhapatnam-530 047

...Petitioner

AND

1. Sri Kakani Murali Krishna, S/o Late Venkaiah, Hindu, Aged 59 years. Resident of HIG-28, D.No.24-205, Simhapuri Layout, Vepagunta Post, Visakhapatnam-530 047

...Respondent/Plaintiff

2. Smt. Ragulapadu Vijayalakshmi, W/o R. Durga Prasad, Hindu, Aged 53 years, Residing in Ground floor, HIG-28, Simhapuri Layout, Vepagunta Post, Visakhapatnam-530 047
3. Sri Kakani Balaraju, S/o Late Venkaiah, Hindu, Aged 52 years. Pvt. Employee, Residing in Ground floor, HIG-28, Simhapuri Layout, Vepagunta Post, Visakhapatnam-530 047.

...Respondents/Defendants 2 and 3

Petition under order 41 Rule 5 R/w 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 all further proceedings in O.S.No.690 of 2015 dated 11.10.2023 by the VII Additional District and Sessions Judge, Visakhapatnam, pending disposal of AS No. 90 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M/ Pardha Saradhi A.V., Advocate for the Appellant and of Sri Yellati Naga Srinivas, Advocate for the Respondent No.1

The Court made the following

ORDER:

“Learned counsel for the respondent No.1 through video conference made his appearance and requested time to file counter on the ground that he is served with the papers from the appellant recently. He is informed about the proceeding sheet dated 26.03.2024, where the learned counsel for the appellant felt inconvenience to cause service of notice on him because of his non-availability.

Learned counsel for the appellant reports urgency on the ground that at any moment the plaintiff may get the delivery warrant before the executing Court.

Learned counsel for the respondent No.1/plaintiff admits that an execution petition in E.P.No.282 of 2024 is pending in which notice is ordered to the appellant herein and it is coming on 12.04.2024.

Having regard to the overall facts and circumstances and the difficulty felt by the learned counsel for the appellant in causing service of papers, the interim stay is granted till 12.04.2024.

In the meantime, the respondent No.1 is at liberty to file counter.”

//TRUE COPY//

AS

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The VII Additional District and Sessions Judge, Visakhapatnam.
2. Sri Kakani Murali Krishna, S/o Late Venkaiah, Hindu, Aged 59 years.
Resident of HIG-28, D.No.24-205, Simhapuri Layout, Vepagunta Post,
Visakhapatnam-530 047(By RPAD)
3. One CC to SRI. PARDHA SARADHI A V Advocate [OPUC]
4. One CC to SRI. YELLATI NAGA SRINIVAS Advocate [OPUC]
5. One spare copy.

PSD

HIGH COURT

AVRB,J

DATED:04/04/2024

LIST THE MATTER ON 12.04.2024

ORDER

I.A.NO.1 OF 2024

IN

AS.No.90 of 2024

STAY

