

[3587]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

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

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

IA No. 1 OF 2025

IN

AS NO: 132 OF 2025



Between:

Appala Raj Kumar, S/o Ranganadham, Aged about 40 years, Occ Business,
R/o D. No.26-12-1757 (A), Sriharikota Colony, Bhaktavatsala Nagar, Nellore
Town, Nellore District.

...Petitioner(s)

(Petitioner in AS 132 OF 2025
on the file of High Court)

AND

Gadamsetty Venkata Lakshmana Kumar, S/o Venkata Narayana, aged about
50 years, Occ Business, R/o Kanigiri Village, Kanigiri Mandal, Prakasam
District.

...Respondent(s)

(Respondents in-do-)

Petition Under Section of 5 Limitation Act is filed praying that in the
circumstances stated in the affidavit filed in support of the petition, the High Court may
be pleased to condone the delay of 1780 days in filing this First Appeal, against the
decree and judgment dated 17-07-2019 in O.S. No. 217 of 2015 on the file of ~~Honble~~
Principal District Judge, Nellore, Pending disposal of AS No. 132 of 2025, 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 HARINATH REDDY SOMA
Advocate for the Appellant and of SRI B SOMASEKHAR Advocate for the
Respondent(s).

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

The Court made the following

ORDER

"The present I.A.No.1 of 2025 has been filed by the petitioner/appellant seeking the following relief:

"..to condone the delay of 1780 days in filing this First Appeal, against the decree and judgment dated 17.07.2019 in O.S.No.217 of 2015 on the file of Hon'ble Principle District Judge, Nellore pending disposal of the above appeal and pass such other order or orders may deem fit and proper in the circumstances of the case."

Learned counsel for the petitioner/appellant submits that though the petitioner/appellant has submitted certified copies of entire file within the time for filing the appeal, because of non-cooperation of the advocate which is referred in Para-5 of the affidavit, the appeal could not be filed. Though the same is opposed by learned counsel appearing on behalf of respondent/plaintiff, but the issue involved in the appeal is itself a money suit, learned counsel for the petitioner/appellant has submitted that the appellant is willing to deposit decretal amount to show his bonafides and the matter may be heard and decided on merits.

Considering the said submission to show his bonafides the I.A.No.1 of 2025 is allowed. The delay of 1780 days in filing the appeal is condoned, subject to the condition that the petitioner/appellant shall deposit the entire decretal amount to the credit of O.S. No.217 of 2015 on the file of the learned Principal District Judge, Nellore, within four (04) weeks from the date of receipt of a copy of this order."

//TRUE COPY//

**SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. **The Principal District Judge, Nellore,**
2. Gadamsetty Venkata Lakshmana Kumar, S/o Venkata Narayana, aged about 50 years, Occ Business, R/o Kanigiri Village, Kanigiri Mandal, Prakasam District. (By RPAD)
3. One CC to SRI. HARINATH REDDY SOMA Advocate [OPUC]
4. One CC to SRI. B SOMASEKHAR Advocate [OPUC]
5. **One spare copy**

tvsr

HIGH COURT

DR,J

&

BM,J

DATED: 23/06/2026

LIST THE MATTER ON 28.07.2026

ORDER

IA No. 1 OF 2025

IN

AS NO: 132 OF 2025

DIRECTION

