

APHC010109592013

IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI



TUESDAY, THE NINETEENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

APPEAL SUIT NO: 1006 OF 2013

Appeal filed under Section 96 of C.P.C. against the Judgment and decree in OS NO. 15 of 2011 on the file of the II Additional District Judge, Kurnool at Adoni, dated the 13-11-2013.

**Between:**

1. B.Sofi, S/o I. B.Abdul Khader Sab, Muslim, 34 years, R/o. D.No. 19-339, Fareed Saheb Street Adoni, Kurnool District.

...PETITIONER

AND

1. R S Basappa, S/o. Late Eswara Goud, Hindu, Aged about 76 years, D.No. 1669/70, S.S.Layout A Block, 4th Cross, Davanagere-Karnataka State.

2. R Mallikarjuna Goud, S/o. Late Eswara Gourd, Hindu, Aged about 62 years D.No. 21-51-1, 3rd Road, S.K.D.Colony, Adoni, Kurnool District.

3. R Naganna Goud, S/o. Late Eswara Goud, Hindu, Aged about 61 years D.No. 45-24-II-11-A2, Ashok Nagar, Kurnool.

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4. Smt M Vijaya Lakshmi, W/o. late R.Ayyanagoud, Hindu, Aged about 62 years R/o. D.No. 21-51-1, S.K.D. Colony, Adoni, Kurnool District.
  5. Shobha rani, D/o. Late R.Ayyana Goud, Hindu, Aged about 45 years D.No. 21-51-1, S.K.D. Colony, Adoni, Kurnool District.
  6. M Sivakumar, S/o. Late R.Ayyana Goud, Hindu, Aged about 42 years D.NO. 21-51-1, S.K.D. Colony, Adoni, Kurnool District.
  7. A Savitha, W/o. Manoj Kumar, Hindu, Aged about 39 years Venugondla Village, Prakasham District.

**...RESPONDENTS**

**Counsel for the Petitioner : SRI. K SITA RAM**

**Counsel for the Respondent No 1 : SRI. C VIKRAM CHANDRA**

**Counsel for the Respondent Nos 2 to 7 : SRI. M CHALAPATI RAO**

**The Court made the following JUDGMENT :**



IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)

[3524]

TUESDAY, THE NINETEENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI  
THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

FIRST APPEAL NO: 1006/2013

Between:

1. B. SOFI., S/O. B. ABDUL KHADER SAB, R/O. D.NO. 19-339, FAREED  
SAHEB STREET ADONI, KURNOOL DISTRICT.

...APPELLANT

AND

1. R S BASAPPA, S/O. LATE ESWARA GOUD, D.NO. 1669/70,  
S.S.LAYOUT A BLOCK, 4TH CROSS, DAVANAGERE-KARNATAKA  
STATE.
2. R MALLIKARJUNA GOUD, S/O. LATE ESWARA GOUD, D.NO. 21-  
51-1, 3RD ROAD, S.K.D.COLONY, ADONI, KURNOOL DISTRICT.
3. R NAGANNA GOUD, S/O. LATE ESWARA GOUD, D.NO. 45-24-II-11-  
A2, ASHOK NAGAR, KURNOOL.
4. SMT M VIJAYA LAKSHMI, W/O. LATE R.AYYANAGOUD, R/O. D.NO.  
21-51-1, S.K.D. COLONY, ADONI, KURNOOL DISTRICT.
5. SHOBHA RANI, D/O. LATE R.AYYANA GOUD, D.NO. 21-51-1, S.K.D.  
COLONY, ADONI, KURNOOL DISTRICT.
6. M SIVAKUMAR, S/O. LATE R.AYYANA GOUD, D.NO. 21-51-1, S.K.D.  
COLONY, ADONI, KURNOOL DISTRICT.
7. A SAVITHA, W/O. MANOJ KUMAR, VENUGONDLA VILLAGE,  
PRAKASHAM DISTRICT.

...RESPONDENT(S):

under Section 96 of C.P.C. Appeal against the Judgement and decree in OS NO. 15 of 2011 on the file of the II Additional District Judge, Kurnool at Adoni, dated the 13-11-2013.

**IA NO: 1 OF 2013(ASMP 3109 OF 2013**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant an injunction against the respondents from alienating the suit Schedule property in OS NO. 15 of 2011 on the file of the Court of II Additional District Judge, Kurnool at Adoni, pending disposal of the appeal in this Hon'ble Court and pass

**Counsel for the Appellant:**

1.K SITA RAM

**Counsel for the Respondent(S):**

1.C VIKRAM CHANDRA

2.M CHALAPATI RAO

**The Court made the following:**

**JUDGEMENT:** *(per Hon'ble Sri Justice Maheswara Rao Kuncheam)*

On 10.07.2025, this Court passed the following order:

*"No representation for the appellant.  
Sri M.Chalapati Rao, learned counsel for the respondents, is  
present.  
List after two weeks under the caption for dismissal in the  
weekly cause list."*

2. This instant appeal is filed by the plaintiff/appellant against the dismissal of the suit filed for specific performance. Today when the matter is listed under the caption 'for dismissal', there is no representation from the side of appellant/s. Sri M.Chalapati Rao, learned counsel for the respondents is present.

3. In these circumstances, it is evident that the appellant/s is not showing any interest to prosecute the case. Hence, the Appeal is ***dismissed for non-prosecution***. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

**SD/- M.RAMESH BABU  
DEPUTY REGISTRAR**

**//TRUE COPY//**

  
**SECTION OFFICER**

**To,**

1. the II Additional District Judge, Kurnool at Adoni (**with records**)
2. One CC to Sri. K Sita Ram Advocate [OPUC]
3. One CC to Sri. C Vikram Chandra Advocate [OPUC]
4. One CC to Sri. M Chalapati Rao Advocate [OPUC]
5. The V R Section, Section Officer, High Court of Andhra Pradesh.
6. Two CD Copies

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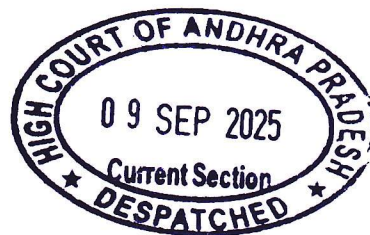
TAC

**HIGH COURT**

**DATED:19/08/2025**

**JUDGMENT**

**AS NO. 1006 OF 2013**



**DISMISSING THE APPEAL FOR NON-  
PROSECUTION**