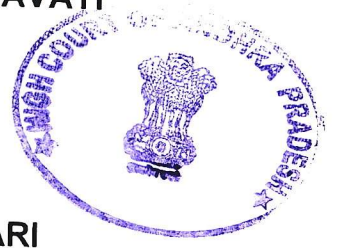


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

IA No. 1 OF 2026

IN

AS NO: 230 OF 2026

Between:

Kandipati Sharmila, W/o, K. Nageswara Rao, aged about 52 years, occ
Housewife, R/o. D.No.2-76/4, Srinivasapuram, Tiruchanur Road End,
Tirupati Rural Mandal, Chittoor District.

...Defendant/Appellant/Petitioner
(Petitioner in AS 230 OF 2026
on the file of High Court)

AND

Sri Nallagatla Dilli Babu, S/o. N. Vasudeva Naidu, aged about 48 years,
occ Landlord, Residing at Venkataramapuram Village, Kattakinda
Venkataramapuram Post, Ramachandrapuram Mandal, Chittoor District.

...Plaintiff/Respondent/Respondent
(Respondents in-do-)

Counsel for the Petitioner :Sri KEERTHI KIRAN KOTA

Counsel for the Respondent :Sri S LAKSHMINARAYANA REDDY

Petition under Section 151 CPC is filed praying that in the
circumstances stated in the affidavit filed in support of the petition, the High
Court may be pleased to suspend the Judgment and Decree dt:31.10.2025 in
O.S. No. 166 of 2016 passed by the IV Additional District Judge, Tirupati,
Pending disposal of AS No. 230 of 2026, 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 Sri KEERTHI KIRAN KOTA Advocate for the Appellant and of Sri S LAKSHMINARAYANA REDDY, Advocate for Respondent.

The Court made the following

ORDER

Heard Sri Keerthi Kiran Kota, learned counsel for the petitioner/appellant and Sri S. Lakshminarayana Reddy, learned counsel for the respondent/plaintiff.

2. The suit filed by the plaintiff in O.S.No.166 of 2016 for recovery of amount of Rs.33,96,666/- with subsequent interest and costs was decreed by the learned IV Additional District Judge, Tirupati, vide Judgment and decree dated 31.10.2025.

3. The finding in the order is in favour of the plaintiff, holding that the suit promissory note dated 11.02.2015 is valid and supported by consideration passed by the plaintiff to the defendant.

4. Learned counsel for the appellant submits that the signatures on the promissory note were sent to handwriting expert for comparison. The report of the expert was submitted, according to the submissions and in view of that report, the finding recorded by the learned trial Court cannot be sustained.

5. Learned counsel for the respondent submits that the report of the expert as well as the other evidence on record was also duly considered by the learned trial Court and the findings do not suffer from any error of law and so, the decree.

6. On perusal of the Judgment of the trial Court as also the submissions advanced, the matter requires consideration.

7. Prima facie, at this stage, in view of the findings recorded in favour of the plaintiff, which also prima facie appears to have been arrived at upon consideration of the material on record along with the

expert's report, and also that the decree being a money decree, it is not a case for grant of interim order, without the conditions being imposed.

8. Issue notice to the respondent/plaintiff.

9. Since Sri S. Lakshminarayana Reddy, learned counsel is appearing for the respondent/plaintiff through Caveat, there is no need to send the notice on the respondent/plaintiff.

10. Post the matter on 30.06.2026.

11. In the meantime, till the next date of listing, the operation and the execution of the decree dated 31.10.2025 passed in O.S.No.166 of 2016 on the file of the learned IV Additional District Judge, Tirupati, shall remain stayed, subject to the following conditions:

i) The appellant shall deposit the principal amount under the promissory note i.e., Rs.25,00,000/- and

ii) The appellant shall also deposit suit costs, within a period of six (06) weeks from today, before the learned trial Court.

12. Upon such deposit being made, the respondent/plaintiff shall be at liberty to withdraw the suit costs, without furnishing security, on making an appropriate application before the Court concerned.

13. The amount under para 11(i), so deposited by the appellant/defendant shall be invested in a Fixed Deposit Receipt (FDR) in any nationalized bank, preferably the State Bank of India within the jurisdiction of the Court, initially for a period of one year, renewable from time to time.

14. The aforesaid shall remain subject to the further orders in the appeal.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For /


SECTION OFFICER

To,

1. The IV Additional District Judge, Tirupati.
2. Nallagatla Dilli Babu, S/o. N. Vasudeva Naidu, Residing at Venkataramapuram Village, Kattakinda Venkataramapuram Post, Ramachandrapuram Mandal, Chittoor District. (by **RPAD**)
3. One CC to SRI. KEERTHI KIRAN KOTA Advocate [OPUC]
4. One CC to SRI. S LAKSHMINARAYANA REDDY Advocate [OPUC]
5. Two spare copies

HIGH COURT

RNT,J &
BM,J

DATED:28/04/2026

POST THE MATTER ON 30.06.2026

ORDER

I.A.NO.1 OF 2026

IN

AS.No.230 of 2026

STAY

