



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI**

FRIDAY, THE 7th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

CIVIL REVISION PETITION NO: 1347 OF 2026

Between:

1. Bandla Sambrajyam, W/o. Venkatapathi Rao, Aged 80 Years,
R/o. Ananthavaram Village, Thulluru Mandal, Guntur District
2. Bandla Madhava Rao, S/o. Venkatapathi Rao, Aged 59 Years, R/o.
D No. 1-11-120, Rachakonda Towers, Alwal Tirumalagiri, Hyderabad
3. Bandla Suri Babu, S/o. Venkatapathi Rao, Aged 52 Years,
R/o. Ananthavaram Village, Thulluru Mandal, Guntur District
4. . Kaka Sunitha, W/o. Sambasiva Rao, Aged 51 years, R/o.
Dondapadu Village, Thulluru Mandal, Guntur District
5. Muppalla Gnaneswari, W/o. Narasimha Rao, Aged 66 Years, D No.
11-14-262/203 Chitra Layout, Vijaya Vihar, Saroor Nagar, L B Nagar,
Hyderabad

...Petitioners

AND

1. Yedluri Sambasiva Rao, S/o. Narasimha Rao, R/o. Ananthavaram
Village, Thulluru Mandal, Guntur District

...Respondent

Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the Order dated 21.1.2026 passed by Principal Civil Judge (Junior Division) Mangalagiri in IA No. 396/2025 in OS No. 85 of 2019 by allowing the revision in the interest of justice and to pass

IA NO: 1 OF 2026

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 order stay of all further proceedings in OS No. 85/2019 on the file of Principal Civil Judge (Junior Division) Mangalagiri pending disposal of the above Revision and to pass

Counsel for the Petitioners: YALLABANDI RAMATIRTHA

Counsel for the Respondent M CHALAPATI RAO

The Court made the following order:

ORDER:

The petitioners herein are the plaintiffs in the suit. They filed the Civil Revision Petition aggrieved by the orders passed by the learned Principal Civil Judge (Junior Division), Mangalagiri in I.A.No.396/2025 in O.S.No.85/2019 dated 21.01.2026.

2. The petitioners herein have filed an application under Order VI Rule 17 CPC for amendment of schedule and the same was considered by the trial Court and rejected the same with the following observation.

It is apposite to refer the decision of the Hon'ble Apex Court in In Pankaja & Anr. v. Yellappa (dead) by Irs. & Ors., (2004) 6 SCC 415, Apex Court held that it was in the discretion of the court to allow an application under Order VI Rule 17 of the CPC seeking amendment of the plaint even where the relief sought to be added by amendment was allegedly barred by limitation. The Court noticed that there was no absolute rule that the amendment in such a case should not be allowed. It was pointed out that the court's discretion in this regard depends on the facts and circumstances of the case and has to be exercised on a judicial evaluation thereof. It would be apposite to notice the observations of this Court in this pronouncement in extenso. The principles were laid down by this Court thus:

"12. So far as the court's jurisdiction to allow an amendment of ' pleadings is concerned, there can be no two opinions that the same is wide enough to permit amendments even in cases where there has been substantial delay in filing such amendment applications. This Court in numerous cases has held that the dominant purpose of allowing the amendment is to minimise the litigation, therefore, if the facts of the case so permit, it is always open to the court to allow applications in spite of the delay and laches in moving such amendment application.

13. But the question for our consideration is whether in cases where the delay has extinguished the right of the party by

virtue of expiry of the period of limitation prescribed in law, can the court in the exercise of its discretion take away the right accrued to another party by allowing such belated amendments.

14. The law in this regard is also quite clear and consistent that there is no absolute rule that in every case where a relief is barred because of limitation an amendment should not be allowed. Discretion in such cases depends on the facts and circumstances of the case. The jurisdiction to allow or not allow an amendment being discretionary, the same will have to be exercised on a judicious evaluation of the facts and circumstances in which the amendment is sought. If the granting of an amendment really subserves the ultimate cause of justice and avoids further litigation the same should be allowed."

In view of foregoing discussion, this court is of the considered opinion that there are no cogent reasons to allow the petition. This petition is liable to be dismissed as same is devoid of merits. This point is answered accordingly.

3. After notice, the respondents have filed their counter in which they have categorically stated that after completing the trial and after completing the arguments on behalf of the respondents herein, the petitioners have took time for more than six months and after that they have filed the present I.A. which itself shows malice intention to drag the proceedings of the suit.

4. Reply to the said contentions, learned counsel for the petitioner has submitted that the petitioners have filed the application only for amendment of the schedule as Ac.0.44cents out of Ac.1.24cents by which the nature of the suit or no further evidence is required. The amendment is after noticing the typographical mistake.

5. Considering the submissions of both side counsel and also the assertions made in the counter, this Court is of the same view that the conduct of the petitioners are in stake. After completing the arguments, the matter successfully dragged for more than six months. Hence this Court is not inclined to interfere with the order passed by the learned Principal Civil Judge (Junior Division) Mangalagiri dated 21.01.2026.

6. Accordingly, the Civil Revision Petition is dismissed. No costs.

As a sequel thereto, interlocutory applications pending, if any, in the writ appeal, shall also stand closed.

JUSTICE D.RAMESH

07.8.2026
RD

THE HONOURABLE SRI JUSTICE D RAMESH

CIVIL REVISION PETITION NO: 1347 of 2026

07.8.2026

RD