

APHC010189342025



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

[3332]

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 1005/2025

Between:

Canara Bank,

...PETITIONER

AND

Chevireddy Deepthi Alias Bandi Deepthi and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.SREEDHAR VALIVETI

Counsel for the Respondent(S):

1.SUDHESHNA YAKKALA

The Court made the following interim order:

I.A.No.01 of 2026

For the reasons stated in the accompanying affidavit, as no objection is raised by the revision petitioner, the present application is ordered.

Accordingly, I.A.No.1/2026 is allowed permitting the proposed respondents to come on record as party respondents.

RAVI CHEEMALAPATI, J
(Contd.,)

I.A.No.01 of 2025

Learned counsel for the petitioner submitted that, the petitioner bank has filed O.A. before the Debts Recovery Tribunal (DRT) for recovery of money in the year 2013 which was decreed and the proceedings initiated for recovery of the said award amount were also allowed. He further submitted that, the proposed respondents purchased the property, (which is one of the suit schedule property) being successful bidders in the auction and also got issued sale certificate. He further submitted that, in fact the 2nd respondent herein is the principle borrower, 3rd respondent is the mortgager and the 3rd respondent being the 'Kartha' mortgaged property. Now, to deny the rights of the auction purchaser, knowing pretty well that auction took place, suppressing the fact that DRT has passed an award, the 1st respondent filed a collusive suit for partition.

2. He further submitted that, despite filing application under Order VII rule 11 (rejection of plaint) by bringing all these facts, the court below has erroneously dismissed the said application though the subject issue is squarely falls within the parameters of Order VII rule 11(d) (barred by any other law). He further submitted that, if the suit is proceeded further without deciding the rights of the revision petitioner, it not only affects the rights of the revision petitioner & auction purchaser but also it amounts to abuse of process of law. He further submitted that, revision petitioner is having good case in this revision, as such prayed to pass appropriate orders in that regard.

3. Perused the record.

4. As could be seen from the plaint, 1st respondent herein has filed the suit against the revision petitioner and 2 & 3 respondents herein for partition of the plaint schedule property. And it is very unfortunate to notice that both the plaintiff and defendants have engaged the same counsel in the present revision.

5. At this juncture, Ms.Y.Sudheshna, learned counsel sought time.

6. In view of the fact that a prima facie point has been made out for consideration and in order to meet the ends of justice, this Court is inclined to pass the following interim order:

There shall be stay of all further proceedings in O.S.No.20/2022 on the file of learned IV Additional District Judge, Nellore, until further orders.

RAVI CHEEMALAPATI, J

C.R.P.No.1005/2025

Registry is directed to carry out necessary amendments accordingly.

Post on 25.06.2026.

BRS

RAVI CHEEMALAPATI, J