

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No. C.R.P. No.1074 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
	24.04.2026	<u>BKM,J</u> <u>I.A.No.1 of 2026</u> Dispense with petition ordered for the present. <u>C.R.P.No.1074 of 2026</u> Heard the learned Senior Counsel for the petitioner and the learned counsel appearing for the 1st respondent. The learned counsel for the petitioner is permitted to take out personal notices to the respondent Nos.2 to 5 and proof of service shall be filed within a period of three (3) weeks from today. This revision is filed against the order passed in E.P.No.233 of 2025 in O.S.No.11 of 2014 on the file of Principal District Civil Judge, Kurnool dated 02.04.2026 which is as under: <i>“Heard both sides. Sri S.Chand Basha, Advocate filed order in Civil Revision Petition No.712/2026 of the Hon’ble High Court of Andhra Pradesh at Amaravati. I have gone through the orders passed thereon.</i> <i>The petitioner in Civil Revision Petition No.712/2026 is a third party to the E.P. A specific order was passed by the Hon’ble High Court that “in the meanwhile, there shall be an order of stay of execution of decree only against the petitioner herein”. The petitioner in Civil Revision Petition No.712/2026 is not a party to the E.P. When he is not a party to the E.P., when he is a third party to the E.P. proceedings, the orders will not be</i>	Contd..

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		<i>effective for passing appropriate orders in the present E.P.</i> <i>Hence, issue delivery of the E.P. Schedule Property, on payment of process by 01.05.2026.”</i> The learned Senior Counsel for the petitioner submits that, this impugned order of the executing court dated 02.04.2026 is straight away contrary to the interim orders passed by this court in C.R.P. No.712 of 2026 dated 06.03.2026 which is as under: <i>“In the meanwhile, there shall be an order of stay of execution of decree only against the petitioner herein, till the next date of hearing”.</i> Though there is a specific direction of this Hon’ble Court not to execute against the petitioner herein/ third party in E.P., under the guise of executing against the parties to the proceedings, the learned executing court passed the above said impugned order dated 02.04.2026 dispossessing the petitioner herein from the suit schedule property and by virtue of this impugned order of the executing court dated 02.04.2026, the subject building was also demolished which is nothing but indirectly operating against the petitioner herein contrary to the directions given by this court and calling for explanation of the concerned Presiding Officer of the executing court and initiation of contempt proceedings against him are only warranted to meet the ends of justice. He further submits that it is a clear case of contempt by deliberately violating and flouting the orders of this	Contd..

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		court dated 06.03.2026 having mentioned therein in the impugned order of the learned District Judge. The learned counsel for the 1st respondent also does not dispute with regard to the delivery of possession of the subject property under the guise of the above said execution dated 02.04.2026 and he does not dispute the dispossession of the petitioner herein/ third party and demolition of the subject building as contended by the petitioner herein. In view of the above said facts and circumstances, <i>prima facie</i> this court finds it as a serious matter of concern for this court to uphold the judicial discipline, propriety and obedience in implementing the orders of this court for which to verify the conduct of the executing court in this matter a report is called for from the officer concerned/ the learned Principal District Judge, Kurnool to be submitted within a period of four (4) weeks from the date of receipt of this order. List on 19.06.2026. NNN <u>BKM,J</u>	

