

[3572]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY ,THE TWENTY SEVENTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

CIVIL MISCELLANEOUS APPEAL NO: 239 OF 2026



Between:

Kota Venkata Phani Pavani Sriram, S/o Late Suryanarayana Murthy , Aged 32 years, Occ- Employee, C/o Sriram Public School, Near Padma Priya Theatre, Gokavaram Village, Gokavaram Mandal East Godavari District 533286

Appellant/Respondent

AND

Kota Naga Mehar Durgambica, W/o Venkata Phani Pavani Sriram , Aged 26 Years Occ Studying , R/o D. No. 2-196/1 Komaragiri Village Pin 533220 , Mummidivaram Mandal, Dr. BR Ambedkar Konaseema District

Respondent/Petitioner

Petition under Section 28 of Hindu Marriage Act praying that in the circumstances stated in the grounds raised in support of the Civil Miscellaneous Appeal, the High Court may be pleased to set aside the order under Appeal passed in HM O.P.No.80 of 2022 on the file of the Civil Judge,(Senior Division) Amalapuram dated 13th of March , 2026

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 to suspend the operation of the Judgment and Decree passed in H.M.O.P. No. 80 of 2022 on the file of the Civil Judge (Senior Division)

Amalapuram, East Godavari District, dated 13-03-2026, Pending disposal of CMA 239 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 K.V.S.S.PRABHAKARA RAO Advocate for the Petitioner, the Court made the following

ORDER

“This appeal has been filed by the appellant/husband being aggrieved from the decree of divorce granted on the petition of the respondent/wife under Sections 13(1)(ia)(ib) of the Hindu Marriage Act,1955, vide order and decree dated 13.03.2026, passed in H.M.O.P.No.80 of 2022 on the file of the Court of the learned Civil Judge (Senior Division), Amalapuram.

2. Heard the learned counsel for the appellant. He submits that the finding on the point of cruelty suffers from perversity and cannot be sustained.

3. The matter requires consideration.

4. Issue notice to the respondent.

5. In addition to the normal mode of service, the appellant is permitted to take out personal notice to the respondent by Registered Post and Acknowledgment Due and file proof of service in the Registry before the next date of listing.

6. Post on 29.06.2026.

7. Considering the submissions advanced, as also the consequences vide from the divorce decree, the operation of the decree dated 13.03.2026, passed in H.M.O.P.No.80 of 2022 on the file of the Court of the learned Civil Judge (Senior Division), Amalapuram, shall remain stayed.

8. The parties shall not remarry.



9. After the appearance of the respondent, the Court will consider to refer the parties to the mediation centre for making efforts for amicable settlement.”

//TRUE COPY//

For

SD/- Y.SRINIVASU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Civil Judge (Senior Division), Amalapuram
2. Kota Naga Mehar Durgambica, W/o Venkata Phani Pavani Sriram ,
Aged 26 Years Occ Studying , R/o D. No. 2-196/1 Komaragiri Village
Pin 533220 , Mummidivaram Mandal, Dr. BR Ambedkar Konaseema
District (by RPAD)
3. One CC to SRI. K.V.S.S.PRABHAKARA RAO Advocate [OPUC] ✓
4. One spare copy

HIGH COURT

RNT,J

&

BM,J

DATED:27/04/2026

POST ON 29.06.2026

ORDER

CMA.No.239 of 2026

STAY

