

[3239]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE 23rd DAY OF JULY, 2026.

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CIVIL REVISION PETITION NO: 1148 OF 2026



Between:

1. Vasipalli Sampoorna, w/o Late Raghava Reddy, Aged about 60 years, R/o Flat No. 3D-4D, Dega Enclave, Magunta Layout, Nellore, SPSR Nellore District.
2. Vasipalli Vinay Kumar, S/o Late Raghava Reddy, Aged about 38 years, R/o Flat No. 3D-4D, Dega Enclave, Magunta Layout, Nellore, SPSR Nellore District.
3. Vasipalli Surekha, D/o Late Raghava Reddy, Aged about 36 years, R/o Flat No. 3D-4D, Dega Enclave, Magunta Layout, Nellore, SPSR Nellore District.

.... Petitioners/J.Drs/Defendants

AND

Dega Dayakar Reddy, S/o Late Sundara Rami Reddy, Aged 75 years, R/o No.3, North Crescent Road, T-Nagar, Chennai, State of Tamilnadu.

.... Respondent/Decree-Holder/Plaintiff

Petition under Section 115 of C.P.C, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the order passed in E.P.No.4 of 2024 in O.S.No.182 of 2013, dated 25.02.2026, on the file of the I Additional Civil Judge, (Senior Division) Nellore.

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 stay all further proceedings in E.P.No. 4 of 2024 in O.S.No. 182 of 2013, on the file of the I Additional Civil Judge, (Senior Division), Nellore, including the execution of the

delivery warrant, against the suit schedule property, in the interest of justice., Pending disposal of CRP 1148 of 2026, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI Y L SIVA KALPANA REDDY Advocate for the Petitioners and the Court made the following.

ORDER

The defendants/J.Drs filed the above revision petition against the order dated 25.02.2026 in E.P.No.4 of 2024 in O.S.No.182 of 2013 on the file of the learned I Additional Civil Judge (Senior Division), Nellore.

The respondent/D.Hr filed E.P.No.4 of 2024 under Order XXI Rule 35 read with Section 151 of the CPC seeking delivery of vacant possession of the E.P. schedule property pursuant to the Judgment and Decree dated 15.04.2014 in O.S.No.182 of 2013.

Ms.Y.L.Siva Kalpana Reddy, learned counsel for the petitioners, would submit that the delivery warrant has not been executed to date. Learned counsel would further submit that the petitioners have been residing in Flat Nos.3D-4D, Dega Enclave, Magunta Layout, Nellore Corporation, SPSR Nellore District, which is the suit schedule property in O.S.No.182 of 2013. As per the e-Courts proceedings, the E.P is adjourned to 24.07.2026 with an endorment, 'Await delivery warrant'.

As seen from the proceedings, O.S.No.182 of 2013 was decreed exparte. There are several cases pending between the revision petitioners/defendants and the respondent/plaintiff. In those cases, the revision petitioners have been contesting. However, in the case at hand, as per their version the summons were not served on the revision petitioners/defendants before passing the ex-parte decree.

Given the facts and circumstances of the case, there shall be stay of all further proceedings in E.P.No.4 of 2024 in O.S.No.182 of 2013 on the file of the learned I Additional Civil Judge (Senior Division), Nellore, if the property has not been delivered already.

List the matter on 06.08.2026.

//TRUE COPY//

SD/- N.SRINIVASA RAO
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The I Additional Civil Judge (Senior Division)
2. Dega Dayakar Reddy, S/o Late Sundara Rami Reddy, Aged 75 years,
R/o No.3, North Crescent Road, T-Nagar, Chennai, State of Tamilnadu.
(by Speed Post - along with a copy of petition and memorandum of
grounds)
3. One CC to SRI. Y L SIVA KALPANA REDDY Advocate [OPUC]
4. **One spare copy**

TVSR

HIGH COURT

SRS, J

DATED: 23/07/2026

LIST THE MATTER ON 06.08.2026.

ORDER

CRP.No.1148 of 2026

STAY

