

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE No: S.A.No.309 of 2026

PROCEEDINGS SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
01.	24.04.2026	<u>NJS, J</u> <u>S.A.No.309 of 2026</u> Heard the learned counsel for the appellant. Considered the submissions made with reference to the following substantial questions of law: I) Whether the lower appellate Court failed to follow the settled principles of law that any amount of evidence without pleadings cannot be looked into? II) Whether the lower appellate Court, in the light of its finding that DW1 could not prove that he purchased the plaint schedule properties with the income derived from milk business as well as the financial assistance from his in-laws, is right in dismissing the suit with regard to Item No.1 of the plaint schedule properties of DW1 and is it not contrary to its own finding? III) Whether the finding of the first appellate Court that a formal foundation was laid by DW1 in his written statement averring that he had acquired item No.1 of suit schedule properties with his hard earnings from Milk business as well as operating	Contd.,

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	24.04.2026	bullock cart is sustainable in view of the fact that there is no such pleading in the written statement? IV) Whether the finding of the lower appellate Court that the plaintiffs themselves recognized the status of DW1 as absolute owner of Item No.1 (wrongly typed as Item No.2 in the Judgment) of the plaint schedule property said to be self acquired is sustainable in view of the evidence on record? Admit. List on 10.07.2026. <u>I.A.No.01 of 2026</u> This petition is filed to suspend the operation of the judgment and decree dated 17.09.2025 passed by the learned III Additional District Judge, Tirupathi. Considering the submissions made and in view of the substantial questions of law and also the reversing judgment, the matter requires adjudication. Hence, there shall be interim suspension as prayed for. Issue notice to respondents. Learned counsel for the petitioner is permitted to take out personal notice to the respondents through RPAD and file proof of service in the Registry. NJS, J GRL	