



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

[3331]

WEDNESDAY, THE 5th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CIVIL REVISION PETITION NO: 1200/2025

Between:

1. THE DIRECTOR,, M/S. BHARATHI CEMENTS CORPORATION LTD.,
AND HAVING REGISTERED UNDER THE COMPANIES ACT, 1956
AND HAVING REGISTERED OFFICE AT HYDERABAD AND HAVING
FACTORY AT NALLAINGAYAPALLI VILLAGE, KAMALAPURAM
MANDAL YSR KADAPA.

...PETITIONER

AND

1. CHANDA VISWANATHA REDDY, S/o. Chinna Gangi Reddy aged
about 50 years. Teacher, R/o. T.Sunkesula Village, Yerragutia Mandal,
YSR Kadapa District.

...RESPONDENT

Petition under Article 227 of the Constitution of India, praying that in the
circumstances stated in the grounds filed herein, the High Court may be
pleased to call for the records of the court below and to set aside the order
dt.21.03.2025 made in I.A.No.796 of 2024 in O.S.No.21 of 2014 on the file of
the court of the Senior Civil Judge , Proddatur, dt.21.03.2025

IA NO: 1 OF 2025

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 O.S.No.21 of 2014 on the file of the court of the
Senior Civil Judge, Proddatur, pending disposal of the Civil Revision Petition

Counsel for the Petitioner:

1.S V MUNI REDDY

Counsel for the Respondent:

1.

The Court made the following order:

Heard Sri S.V.Muni Reddy, learned counsel for the revision petitioner.

2. The defendant in the suit filed the above revision against the order dated 21.03.2025 in I.A.No.796 of 2024 in O.S.No.21 of 2014 on the file of the Senior Civil Judge, Proddatur.

3. The respondent/plaintiff filed O.S.No.21 of 2014 for recovery of the amount from the defendant. The defendant filed a written statement and has been contesting the suit. Pending the suit, the defendant filed I.A.No.796 of 2024 under Order XVIII Rule 7 r/w 151 CPC, to recall the evidence of P.W.1 for cross-examination. In the affidavit filed in support of the petition, it was contended that the suit was posted to 16.12.2016 for cross-examination of P.W.1. On that day, P.W.1 was present, but the defendant was called absent. Hence, the cross-examination of P.W.1 was treated as nil. The defendant came to know about the same only recently. It is further contended that, on the previous day, the advocate had gone to Sabarimala and, therefore, could not attend the Court. Hence, prayed to recall P.W.1 for further cross-examination. A counter was filed by the plaintiff opposing the application.

4. The trial Court, by an order dated 21.03.2025, dismissed the application.

5. Learned counsel for the petitioner would submit that the defendant had assigned certain reasons for his failure to cross-examine the witness. However, the trial Court failed to exercise the jurisdiction vested in it.

6. This Court perused the record. As seen from the record, previously, the petitioner filed I.A.No.473 of 2017 under Order XVIII Rule 7 CPC, and the

same was allowed on 18.12.2017, subject to the condition of payment of Rs.300/- to the respondent on 28.12.2017. The said cost was not paid, and hence, the interlocutory application was dismissed for default. Thereafter, the defendant filed I.A.No.328 of 2018 to recall P.W.1, and the same was dismissed on 31.12.2018. The defendant filed I.A.No.320 of 2019 to restore I.A.No.319 of 2019 and to condone delay of 15 days in filing I.A.No.320 of 2019. The said interlocutory application came up for hearing on 10.05.2024 and was dismissed for default. Thereafter, the petitioner filed the present application. The events narrated *supra* demonstrate that the petitioner is not prosecuting the case diligently and, in fact, the interlocutory application was filed only to procrastinate the proceedings.

7. Since the trial Court has recorded reasons, exercised jurisdiction vested in it, and passed the order under revision, this Court doesn't find any illegality or irregularity in the order dated 21.03.2025 in I.A.No.796 of 2024 in O.S.No.21 of 2014 on the file of the Senior Civil Judge, Proddatur, warranting interference in the exercise of its jurisdiction under Article 227 of the Constitution of India. Hence, the revision petition is liable to be dismissed

8. Accordingly, the civil revision petition is dismissed. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SUBBA REDDY SATTI

Dated: 05.08.2026
SNI

190

THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

CIVIL REVISION PETITION No.1200 of 2025

Dated: 05.08.2026
SNI