

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

**MAIN CASE: C.M.A.No.118 of 2017
PROCEEDING SHEET**

Sl. No.	DATE	ORDER	Office Note
25)	28.07.2025	<u>CGR, J.</u> <u>I.A.No.1 of 2023</u> In view of the reasons assigned in the affidavit filed in support of the application, delay of 1330 days in filing the application to bring on record legal heirs of deceased 1st respondent late Syamala Satyanarayana Reddy, is condoned. 2. Accordingly, the application is ordered. <u>I.A.No.3 of 2023</u> This application is filed seeking to implead respondents 5 to 8 as legal heirs of the deceased 1st respondent. 2. Notices issued to respondents 5 and 6 are served and with respect to respondents 7 and 8 the same are returned unserved with an endorsement “addressee moved without intimation”. Respondents 7 and 8 are stated to be daughters of respondents 1 and 5. It is also stated that 1st respondent remained <i>ex parte</i> even before the trial Court. 3. Learned counsel for the appellant has placed reliance on the judgment rendered by the Hon’ble Apex Court in Madan & Co. v. Wazir	

		Jaivir Chand : [(1989) 1 SCC 264] to contend that service of notice on respondents 7 and 8 is deemed to be complete inasmuch as there is a presumption in favour of service on account of the endorsement “addressee moved without intimation”, besides the fact that on the very same address notice sent to respondent 5 - mother got duly served. 4. None appeared for respondents. 5. In view of the reasons assigned in the affidavit filed in support of the application, this application is ordered. <u>I.A.No.2 of 2023</u> In view of the order passed in I.A.No.3 of 2023, this application, seeking to set aside the abatement, stands ordered. <u>C.M.A.No.118 of 2017</u> Admit. 2. Registry is directed to call for records from the trial Court, if not received earlier. 3. List the appeal for final hearing in usual course. CGR, J. CS	
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