

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE No: A.S.No.590 of 2018

PROCEEDING SHEET

<u>SL. NO.</u>	<u>DATE</u>	<u>ORDER</u>	<u>OFFICE NOTE</u>
	25.11.2025	<u>RNT,J & SS,J</u> The plaintiff/respondent filed O.S.No.2 of 2014 for specific performance of contract, which was decreed on 09.01.2018 by learned X Additional District and Sessions Judge, Visakhapatnam at Anakapalle. Challenging the same, the present appeal has been filed. 2. Request for adjournment has been made by Sri Noor Basha Baji, learned counsel on behalf of learned counsel for the appellant. 3. The same is opposed by learned counsel for the respondents. She submits that there is urgency in the matter as the decree is in favour of respondent No.1. In the appeal there is interim order subject to the condition. 4. The docket order shows that on 26.03.2025, the following order was passed: “There is no representation for the appellant. 2. Sri C.Upendra, learned counsel appears for the respondent’s counsel. He submits that the suit for specific performance of contract was decreed in favour of the plaintiff/respondent. In the present appeal, the interim order was granted subject to condition of the appellant depositing the costs of the suit, which has been complied with by the appellant. 3. Considering the aforesaid, granting last opportunity to the appellant’s counsel to appear and argue the matter on the next date, failing which appropriate orders will be passed.	

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		4. List on 09.04.2025.” 5. As it is evident that last opportunity was granted to learned counsel for the appellants to appear and argue the matter on the next date. 6. On 02.07.2025 also the matter was adjourned at request of learned counsel for the appellants which reads as under: “Learned counsel for the appellants prays for adjournment to argue the matter, finally on the next date of listing. 2. Learned counsel for the respondent submits that the suit for specific performance of contract filed by the respondent-plaintiff was decreed way back in the year 2018 and pursuant to the decree, the plaintiff deposited the balance of sale consideration before the concerned Court. But in view of the pendency of the appeal under the orders of the Court the respondent was permitted to withdraw that amount, which has been withdrawn. She submitted that previously also on the request of learned counsel for the appellants the matter was adjourned. 3. Learned counsel for the appellants submits that the matter would be argued on the next date positively. 4. Post on 16.07.2025.” 7. Later on, on 19.08.2025 also learned counsel for the respondent submitted urgency in the matter. However, considering the request of learned counsel for the appellants to file some applications, the matter was directed to be listed finally on 09.09.2025. 8. On 04.11.2025 on the request made on behalf of learned counsel for the appellant for adjournment on the ground of illness, the matter was adjourned taking a lenient view due to illness as submitted.	

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		9. Today again request has been made on behalf of learned counsel for the appellants for adjournment on the ground of illness. 10. Learned counsel for the respondent opposes the same submitting that he was available yesterday. 11. Without observing anything on the aforesaid contention with respect to the illness of the counsel, list on 02.12.2025. 12. No further adjournment will be granted. 13. If the matter is not argued on the next date, the Court may dismiss the appeal for 'want of prosecution'. RNT,J SS,J AG	