

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE SEVENTEENTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

APPEAL SUIT NO: 590 OF 2018



Between:

1. Pinnamaraju Ananda Kumari (**Died**), W/o. Satyanarayana Raju, Hindu, aged about 60 years, R/o. Flat No.107, D. No. 39-35-21/25, Green Meadows Apartments, Madhavadhara, Visakhapatnam- 530018, A.P.
2. Pinnamaraju Satyanarayana Raju, S/o. Venkata Krishnam Raju, Occ: Retired R/o. SM-14-2, Paramount Towers, Block 4, Shriram Panorama Hills, N.V.P Law College Road, Yendada, Visakhapatnam 530045, Andhra Pradesh.
3. Pinnamaraju Bangaru Venkata Krishnam Raju, S/o. Satyanarayana Raju, Occ: Employee of TEK Systems, Bangalore, R/o. Polaris Apartment, 3rd Floor, 207, B-Block, Radhareddy layout, Doddakannelli, Sarjapur Main Road, Bangalore 560035, Karnataka State
4. Pinnamaraju Subadra Butchi Raju, S/o. Satyanarayana Raju, Occ: Employee of Google USA, R/o. 3812 Brumm Ct, Pleasanton 94566, California, USA.
5. Dantuluri Susmitha, D/o. Satyanarayana Raju, Occ: Employee of Merative, USA, Address 1813 Hancock Road, Cary 27519, North Carolina, USA.

Appellants 3 to 5 are presently staying at SM-14-2, Paramount Towers, Block 4, Shriram Panorama Hills, N.V.P. Law College Road, Yendada, Visakhapatnam 530045, Andhra Pradesh.

Appellants 2 to 5 brought on record as LR's of deceased sole appellant vide Court Order dated 13.09.2023 in I.A.No.2 of 2023 in A.S.No.590 of 2018.

Proposed Appellant 2 to 5

AND

Alla Uma Satyanarayana, S/o. Musilinaidu, Hindu, aged about 35 years, Occ: Cultivation, R/o.D.No.1-36/A, Main Road, Near Bulk Milk Cooling Center, Munagapaka Village and Mandal, Visakhapatnam District, A.P.

Respondent/Plaintiff

Appeal Under Section 96 R/w. Order-41 Rule-1 of CPC the High Court may be pleased to set aside the Judgment and Decree dated 09.01.2018 passed in O.S. No. 2/2014 on the file of the X-Addl. District and Sessions Judge, Anakapalli, Visakhapatnam District, A.P. and dismiss the Suit with costs.

IA NO: 1 OF 2018

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings pursuant to the Decree and Judgment dated.09-01-2018 passed in O.S.No.02/2014 on the file of X Additional District, Judge, Anakapalle, Visakhapatnam District, Pending disposal of AS 590 of 2018, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the arguments of SRI CHALAPATI RAO, Advocate for the Appellants, M/s. T V SRI DEVI Advocate for the Respondent, the Court made the following;

ORDER:

On 10.12.2025, the following order was passed:

"Ms.T.V.Sridevi, learned counsel for the respondent/plaintiff is in the midst of her submissions.

2. On consideration of the facts of the case, as also the submission advanced by the appellants/defendants' counsel and

also the respondent/plaintiff, prima facie, we are of the view that there are fair chances of settlement of the dispute amicably, through the process of mediation. Inter alia, the execution of the agreement of sale, the basis of the suit filed by the plaintiff/respondent is not in dispute except its page No.2.

3. Briefly, the dispute is with respect to the stipulation of time for a specific performance and the advance of the sale consideration. As per the plaintiff's case, under the said agreement, there was no time stipulation and the advance made was Rs.20,00,000/-. According to the case of the defendant, the 1st appellant, the advance amount was Rs.1,00,000/- and the time was specified of two months, failing which there was forfeiture clause. So, according to the defendant, the time was the essence of the contract.

4. The submission advanced and the case taken by the defendant in the written statement was that those conditions were changed by changing page No.2 of the agreement.

5. So far as the sale consideration of Rs.32,00,000/- as mentioned in the agreement is concerned, there is no dispute. The suit was decreed by the Trial Court for execution of the sale deed, accepting the case of the plaintiff of advance of Rs.20,00,000/- and no time stipulation in the agreement, based on Ex.A1, the agreement of sale.

6. As aforesaid, the prima facie, it appears to us that in view of narrow controversy as aforesaid, there may be fair chances of amicable settlement.

7. At this stage, learned counsel for the plaintiff/respondent, Ms.T.V.Sridevi, after consulting the plaintiff namely, Alla Uma Satyanarayana, who is present in the Court, submits that the plaintiff/respondent is ready for mediation process.

8. Sri M.Chalapathi Rao, learned counsel for the appellants/defendants prays for time to obtain instructions from the legal representatives of the deceased defendant, who are already on record as appellants 2 to 5 as they are abroad.

9. List on 17.12.2025."

2. Sri M.Chalapathi Rao, learned counsel for the appellants submits that appellants are also ready and willing for amicable resolution of dispute through the process of mediation.
3. In view of the aforesaid, the parties shall appear before the mediation and conciliation centre of this Court on 24.12.2025 which would be the first date. The subsequent dates for sessions shall be fixed by the mediation centre. The mediation centre through its mediators shall make endeavour to complete the proceedings within a period of three months from the date of first appearance of the parties, and submit the report to this Court.
4. Post after three (03) months from the date of first appearance along with the report of mediation centre.
5. Let the copy of this order be sent to the mediation centre of this Court with the particulars of this case.
6. Contact numbers and E-mail IDs of the parties and their respective counsels be provided to the mediation centre.
7. The mediation may also be conducted through virtual mode, if so possible and convenient to the parties.

//TRUE COPY//

For

SD/-U.SRI DEVI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The X-Addl. District and Sessions Judge, Anakapalli,
Visakhapatnam District, A.P.
2. The Secretary, Mediation & Arbitration Centre, High Court of A.P.,
Amaravati

3. Alla Uma Satyanarayana, S/o. Musilinaidu, Hindu, aged about 35 years, Occ: Cultivation, R/o.D.No.1-36/A, Main Road, Near Bulk Milk Cooling Center, Munagapaka Village and Mandal, Visakhapatnam District, A.P.
4. Pinnamaraju Satyanarayana Raju, S/o. Venkata Krishnam Raju, Occ: Retired R/o. SM-14-2, Paramount Towers, Block 4, Shriram Panorama Hills, N.V.P Law College Road, Yendada, Visakhapatnam 530045, Andhra Pradesh.
5. Pinnamaraju Bangaru Venkata Krishnam Raju, S/o. Satyanarayana Raju, Occ: Employee of TEK Systems, Bangalore, R/o. Polaris Apartment, 3rd Floor, 207, B-Block, Radhareddy layout, Doddakannelli, Sarjapur Main Road, Bangalore 560035, Karnataka State
6. Pinnamaraju Subadra Butchi Raju, S/o. Satyanarayana Raju, Occ: Employee of Google USA, R/o. 3812 Brumm Ct, Pleasanton 94566, California, USA.
7. Dantuluri Susmitha, D/o. Satyanarayana Raju, Occ: Employee of Merative, USA, Address 1813 Hancock Road, Cary 27519, North Carolina, USA. (Addressee Nos.3 to 7 by SPEED POST) (**Direction to appear before the Mediation and Conciliation Centre on 24.12.2025**)
8. One CC to SRI. M CHALAPATI RAO Advocate [OPUC]
9. One CC to M/s. T V SRI DEVI Advocate [OPUC]
10. Two spare copies

KJ

HIGH COURT

RNT,J &
MRK,J

DATED:17/12/2025

Post after three (03) months from the date of first appearance along with
the report of mediation centre

ORDER

AS.No.590 of 2018

APPEARANCE

