



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

**[3332]**

**TUESDAY, THE TWENTY FOURTH DAY OF MARCH  
TWO THOUSAND AND TWENTY SIX**

**PRESENT**

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI**

**CIVIL REVISION PETITION NO: 1575/2023**

**Between:**

Gujjula Padma

**...PETITIONER**

**AND**

M Vijayalakshmi and Others

**...RESPONDENT(S)**

**Counsel for the Petitioner:**

1. P RAJKUMAR

**Counsel for the Respondent(S):**

1.

**The Court made the following:**

Learned counsel for the petitioner submitted that the petitioner is the plaintiff who got filed a suit in O.S.No.41 of 2019 on the file of Principal Senior Civil Judge, Gajuwaka, for permanent injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the plaintiff. In the said suit, the petitioner/plaintiff filed her chief affidavit. Pursuant to the same, the petitioner could not enter into the witness box due to various reasons including one such that the petitioner counsel is not well. The Court below eschewed the evidence of PW1 on the ground that she did not enter the witness box. In the said circumstances, I.A.No.128 of 2023 has been filed

praying the Court to set aside the eschew order dated 16.03.2023 passed by the Court. The said application has been dismissed by the Court erroneously. In fact, the plaintiff is ready to let in her evidence as PW1 and a fair opportunity if given, her rights will be protected otherwise the purpose of filing the suit would be defeated. He further contended that the Hon'ble Apex Court has categorically held that the Courts should not shut the evidence of the parties. The petitioner is having good case. Now the matter is being listed for defendant's side evidence and the posted today before the Court below. He further submitted that the initially this Court on 11.07.2023 ordered notice on the respondent, later the matter has not been listed despite best efforts made by the learned counsel. He further submitted that if the defendant's evidence is concluded, the purpose of filing the suit as well as the revision would be defeated, as such, prayed to stay the suit.

2.Perused the record and considered the submissions made by the learned counsel for the parties.

3.*Prima facie*, a point has been made out for consideration, as such, this Court is inclined to pass the following order:

“There shall be stay of all further proceedings in O.S.No.41 of 2019 on the file of the Principal Senior Civil Judge, Gajuwaka, for a period of four (04) weeks.”

5. Post on 24.03.2026.

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**JUSTICE RAVI CHEEMALAPATI**