



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

[2995]

THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI SUBHENDU SAMANTA

LAND ACQUISITION APPEAL SUIT NO: 2006/2005

Between:

1. THE LAND ACQUISITION OFFICER AND SPL. DY. COLLECTOR
(LA), O.N.G.C. RAJAHMUNDY

...APPELLANT

AND

1. UPADYAYULA RAMAKRISHNA RAO, S/O. SATYANARAYANA R/O.
RUSTUMBADA NARASAPUR (M) WEST GODAVARI DT.

...RESPONDENT

Appeal against the Judgment and decree passed in OP No. 29 of 1997 dated 24-2-2004 on the file of the Court of the Senior Civil Judge, Narsapur.

IA NO: 1 OF 2005(LAASMP 442 OF 2005)

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 condone the delay of 12 days in filing the AS No. /2005 against OP NO.20 of 1997 on the file of the court of Senior Civil Judge, Narsapur.

IA NO: 2 OF 2005(LAASMP 443 OF 2005)

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 dispense with the filing of certified copy of the common order dated 24-2-2004 in OP No. 20 of 1997 and batch on the file of Senior Civil Judge's Court Narsapur.

IA NO: 3 OF 2005(LAASMP 1106 OF 2005

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 including the execution of decree and judgment dated 24-2-2004 in OPNo. 20 of 1997 on the file of Court of the Senior Civil Judge, Narsapur pending disposal of the above first appeal

IA NO: 4 OF 2005(LAASMP 3444 OF 2005

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 extend the time granted by this Hon'ble Court for depositing half of the decretal amount upto 26-7-2005 (i.e., the date of deposit)

IA NO: 1 OF 2012(LAASMP 362 OF 2012

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 that the LAAS.No.2006/2005 may be posted for "For Being mentioned" for passing necessary orders in the interest of justice

Counsel for the Appellant:

- 1.GP FOR APPEALS
- 2.D S SIVADARSHAN

Counsel for the Respondent:

- 1.K CHIDAMBARAM

The Court made the following Judgment: *(Per Hon'ble Sri Justice Battu Devanand)*

I.A.No.1 of 2012
(L.A.A.S.M.P.No.362 of 2012)
(For Being Mentioned Petition)

This application is filed seeking to post L.A.A.S.No.2006 of 2005 under the caption 'for being mentioned' for passing necessary orders in the interest of justice.

2. The learned counsel for the petitioner/respondent would submit that against the order, dated 24.02.2004 in O.P.No.20 of 1997 on the file of the learned Senior Civil Judge Narsapur, the Land Acquisition Officer filed L.A.A.S.No.2006 of 2005. In the said appeal, the sole respondent died on 03.09.2007. After receiving the death information of the respondent, learned counsel for the respondent ascertained the particulars of the legalheirs of the deceased respondent and informed the same to the learned counsel for the appellant vide letter dated 15.03.2008. But no steps have been taken to implead the legalheirs of the deceased respondent, as such, this appeal was abated.

3. Learned counsel further submits that he could not bring this fact to the notice of the Court, while this appeal is coming along with other batch matters. The said appeal was partly allowed by common judgment, dated 14.07.2011.

4. Since the said judgment against a dead person is disrespectful, learned counsel requested to pass necessary orders in this appeal. Learned counsel for the appellant also did not dispute the fact that the sole respondent

died during the pendency of the appeal and LR's were not brought on record inspite of information furnished by the learned counsel for the respondent and consequently the appeal was disposed of by passing common order against the dead person.

5. Considering the facts and circumstances of this case, in our considered view, it is appropriate to recall the common judgment dated 14.07.2011 in so far as L.A.A.S.No.2006 of 2005 only.

L.A.A.S.No.2006 of 2005

Considering the facts and circumstances of the case and for the reasons stated herein above, this Land Acquisition Appeal Suit is dismissed as abated. There shall be no order as to costs.

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

JUSTICE BATTU DEVANAND

JUSTICE SUBHENDU SAMANTA

Date: 19.02.2026

SPP

HON'BLE SRI JUSTICE BATTU DEVANAND
AND
HON'BLE SRI JUSTICE SUBHENDU SAMANTA

L.A.A.S.No.2006 of 2005

(per Hon'ble Sri Justice Battu Devanand)

Dated 19.02.2026

SPP