

[3572]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL,

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

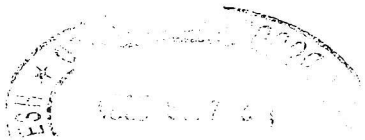
THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI



APPEAL SUIT NO: 446 OF 2024

Between:

1. Lingareddy Nirujitha,
W/o. Anil Kumar Reddy, aged 52 years,
R/o.No.5, 1st floor, Raghava Apartment,
Tekkemitta, Nellore.
2. Mogili Nirmala, W/o. Sivaprasad Reddy,
Aged 77 years, R/o. 18-1-268,
Bhavani Nagar, Tirupathi,
Tirupathi District.
3. BattulaSupraja, W/o. Ashok Kumar,
aged 52 years, R/o. Shivaramireddy hospitals,
Singarayakonda, Prakasam District.
4. PiduruArunamma, W/o. Subbareddy,
aged 57 years, R/o 16-3-122,
2nd Street, Ramalingapuram, Nellore.
5. PochareddySupriya, W/o. Srihari Reddy,
aged 49 years, R/o D.No. 26-1-1438,
Kaveri Avenue, Kondayapalem, Nellore.
6. Kandala Chakrapani Reddy,
S/o. Srinivasulu Reddy, aged 49 years,
R/o. D.No. 27-4-31,
Flat No. G1, Sai Sannidhi, 8th Cross Road,
Ramji Nagar, Nellore.



7. Siddhareddy Praveen Kumar,
S/o. Chakradhar Reddy, aged 54 years,
R/o. D.No.4-88/2, Padmavathi Puram,
Tiruchanur Road, Tirupathi,
Tirupathi District.

8. SiddareddySrinivasulu Reddy,
S/o. Venkata Ramana Reddy,
aged 79 years, R/o. D.No. 16-273,
Gandhinagar, Pogathota, Nellore.

9. Kakarla Manjula, W/o. Raghavaiah,
aged 50 years, R/o D.No.3/1200/1,
Nagendra Nagar, Settigunta Road,
Nellore-2.

10. Jetti Kamakshi,
W/o. Dr. J. Pramod Reddy,
aged 55 years, R/o. 27-1-944,
Balaji Nagar, Nellore-2.

11. Pachipala Aparna,
W/o. Mallikarjuna Reddy,
aged 53 years, R/o. D.No. 7-8-3,
SannapureddyvariVeedhi,
Kovuru Village and Mandal,
SPSR Nellore District.

12. KottireddyChakradhar Reddy,
S/o. Narayana Reddy, aged 49 years,
R/o. Kadiri, Ananthapuram District.

13. Kadiveti Vinaya Kumari,
W/o. Bade Vikram Kumar,
aged 40 years, R/o. Flat No. 24,
Apartment S5, Road No.2,
Near Venkatagiri Water Tank, Jubilee Hills,
Hyderabad, Telangana.

14. Bade Vikram Kumar,
S/o. Ramachandra Reddy, aged 49 years,
R/o. Flat No. 24, Apartment S5, Road No.2,
Near Venkatagiri Water Tank, Jubilee Hills,
Hyderabad, Telangana.

3

15. YanamalaGiriRamanaiah,
S/o. Late YanamalaVenktaiah, aged 57 years,
R/o. Yarraguntla Village and Mandal,
Y.S.R. Kadapa District.

16. Yanamala Geetha Kumari,
W/o. YanamalaGiriRamanaiah,
aged 51 years, R/o. Yarraguntla Village and Mandal,
Y.S.R. Kadapa District.

17. Boddu Nalini, W/o. Chinnam Raghavendra Rao,
aged 39 years, R/o. 26/1/545,
8th Cross Road, Chandramouli Nagar,
Vedayapalem, Nellore.

18. SannareddySugunamma,
W/o. Gopala Reddy,
aged 68 years, R/o. D.No.542-A/1,
Janakiram Peta, Guduru,
Tirupathi District.

19. Duvvuru Bharathi,
W/o. Sannareddy Ashok Kumar,
Aged 49 years, R/o. Flat No. 75,
Srinagar Colony,
Annamayya Circle, Nellore.

...Petitioners/Appellants/
Third Parties.

AND

1. Anapalli Janardhan Reddy,
S/o. Late Ramana Reddy,
Aged 62 years, R/o. Flat No.501,
5th Floor, Charan Paradise,
Saraswathi Nagar, Dargamitta,
Nellore.

2. Cherreddy Venkata Ramanamma,
W/o. Late Ramachandra Reddy,
Aged 73 years, Manubolu Village & Mandal,
SPSR Nellore District.

...Respondents/Plaintiffs

3. Kaveri Bala Chandra Reddy, S/o. Venkata Subba Reddy, Aged 61 years, R/o. D.No. 24-2-1878, Road No.2, M.S.R. Central Avenue, Magunta Layout, Nellore.

Respondent/Defendant

Appeal Under Section 96 of CPC., is filed against the Decree and Judgment made in O.S.No.38 of 2017, dt. 04-09-2023 on the file of the Court of the V Additional District Judge, Nellore.

IA NO: 4 OF 2024

Petition under Order 41 Rule 5 of CPC., is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings pursuant to the decree and judgment in O.S.No. 38 of 2017 dated 04.09.2023 on the file of the Court of the V Additional District Judge, Nellore including the proceeding in E.P. No. 3 of 2024 on the file of V Addl. District Judge, Nellore, pending disposal of the Appeal;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. G VIVEKANAND, Advocate for the Petitioners and of Sri. P V A PADMANABHAM, Advocate for the Respondent Nos.1 & 2 and of Sri. SARANU PHANI TEJA, Advocate for the Respondent No.3;

The Court made the following ORDER:

Heard Sri G.Vivekanand, learned counsel for the appellants, Sri P.V.A.Padmanabham, learned counsel for the respondents 1 and 2 and Sri Saranu Phani Teja, learned counsel for the 3rd respondent.

2. This appeal has been filed by the third parties, challenging the decree dated 04.09.2023 in O.S.No.38 of 2017 on the file of the Court of V Additional District Judge, Nellore, in a suit for specific performance of

contract filed by the plaintiffs/respondents 1 and 2 against the defendant/3rd respondent herein.

3. I.A.No.2 of 2024 was filed for condonation of delay of 232 days in filing the appeal.

4. I.A.No.1 of 2024 was also for the seeking leave of this Court to prefer the appeal. The same was allowed on 14.08.2024 and against the said order, SLP(Civil)... Diary No 16028 of 2025 was filed. It was dismissed by the Hon'ble Apex Court, on 28.04.2025

5. Further, on the point of the court fee, a Coordinate Bench passed order dated 10.01.2025 recording the finding in favour of the appellants and against which also, Special Leave to Appeal(C) No.12986 of 2025 was dismissed by the Hon'ble Apex Court on 16.10.2025.

6. Learned counsel for the respondents 1 and 2/plaintiffs prays for adjournment.

7. Learned counsel for the appellants submits that in the Execution Court, 24.04.2026 is the date fixed.

8. Learned counsel for the respondents 1 and 2/plaintiffs submits that already the undertaking has been given that the plaintiffs shall not proceed with the execution in the Execution Court and the same may be extended till the next date of listing.

9. List on 24.06.2026.

10. The undertaking given, is extended till that date and the Execution Court shall ensure that the undertaking is not violated i.e. the Execution Court shall not proceed with the execution till the next date of listing.

//TRUE COPY//

SD/- M.SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The V Additional District Judge, Nellore.
2. Anapalli Janardhan Reddy, S/o. Late Ramana Reddy, Aged 62 years, R/o. Flat No.501, 5th Floor, Charan Paradise, Saraswathi Nagar, Dargamitta, Nellore.
3. Cherreddy Venakata Ramanamma, W/o. Late Ramachandra Reddy, Aged 73 years, Manubolu Village and Mandal, SPSR Nellore District.
4. Kaveri Bala Chandra Reddy, S/o. Venkata Subba Reddy, Aged 61 years, R/o. D.No. 24-2-1878, Road No.2, M.S.R. Central Avenue, Magunta Layout, Nellore. (Addressee Nos.2 to 4 BY RPAD)
5. One CC to Sri. G VIVEKANAND, Advocate [OPUC]
6. One CC to Sri. P V A PADMANABHAM, Advocate [OPUC]
7. One CC to Sri. SARANU PHANI TEJA, Advocate [OPUC]
8. Two Spare Copies

JSS

HIGH COURT

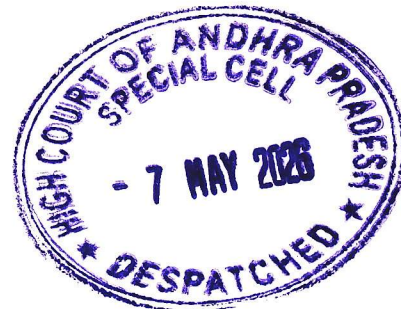
**RNT, J
&
BM, J**

DATED:22/04/2026

LIST ON 24.06.2026.

ORDER

AS.No.446 of 2024



DIRECTION