

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE No: A.S.No.419 of 2024

PROCEEDING SHEET

<u>SL. NO.</u>	<u>DATE</u>	<u>ORDER</u>	<u>OFFICE NOTE</u>
	03.02.2026	<u>RNT,J & MRK,J</u> The plaintiff's suit for recovery of amount of Rs.1,40,00,000/- together with costs and future interest was decreed partly on 08.05.2024 by learned VI Additional District Judge, Kadapa in O.S.No.41 of 2021. The suit was decreed partly with a direction to the defendant to pay to the plaintiff a sum of Rs.70,00,000/- with subsequent interest and also awarded a costs of Rs.3,48,028/-. The appeal has been filed by the defendant. 2. Learned counsel for the appellant submits that suit was barred by limitation. The APSFC sanctioned loan to the defendant on 31.03.2012. She submits that the reliance placed on Ex.A5 is unsustainable. Consequently, the finding on issue No.1 cannot be sustained. She further submits that the Trial Court at Kadapa had no territorial jurisdiction on which point, issue No.3 was framed. The finding accorded on issue No.3 is also not correct and there was no territorial jurisdiction at Kadapa. The judgment suffers from illegality. 3. The appeal has already been admitted. 4. The matter requires consideration. 5. List for hearing in due course.	

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		6. In the meantime, the operation and execution of decree under challenge shall remain stayed subject to the following conditions: i) the appellant shall deposit 50% of the decretal amount as it stands today within a period of six (06) weeks before the Execution Court and ii) the appellant shall also deposit the costs amount within the same period. 7. The amount so deposited, except the costs amount, shall be invested in Fixed Deposit Receipt with a nationalised Bank preferably State Bank of India for a period initially of one year, with renewal clause. 8. The respondent/plaintiff shall be at liberty to withdraw the cost amount, without furnishing any security. 9. The aforesaid shall be subject to the further orders in this appeal. _____ RNT,J _____ MRK,J AG	