



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

[3332]

FRIDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 1676/2025

Between:

1. TATINENI SAKET RAM CHOWDARY, S/O. LATE RAMESH KUMAR, AGE 30 YEARS, OCC BUSINESS, R/O. D. NO. 6-22-6, EAST POINT COLONY, NEAR GIRIJAN BHAVAN, CHINNA WALT AIR, VISAKHAPATNAM -17.

...PETITIONER

AND

1. VALIVELA RAMESH, S/O. LATE SAMBASIVA RAO, AGED 60 YEARS, OCC BUSINESS, R/O. H. NO. 1-11, KOTHA AGRAHARAM, CHEEPURUPALLI VILLAGE MANDAL, VIZIANAGARAM DISTRICT.
2. VELIVELA BHARGAV, S/O. LATE RAGHUNADH AGE 31 YEARS, R/O. H. NO. 1-11, PRIVATE EMPLOYEE, KOTHA AGRAHARAM, CHEEPURUPALLI VILLAGE MANDAL, VIZIANAGARAM DISTRICT.

...RESPONDENT(S):

Petition under Article 227 of the Constitution of India praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to The above named Petitioner begs to present this Memorandum of Civil Revision Petition having been aggrieved by the Order dated 09.05.2025 passed in E.A.No.224 of 2024 in E.A.No. 646 of 2022 in E.P. No.91 of 2017, on the file of Principal District Judge, Vizianagaram for the following grounds among other

IA NO: 1 OF 2025

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 of all further proceedings in EA No.646/2022 in EP No.91/2017 on the file of Court of the Principal District Judge, Vizianagaram and pass

Counsel for the Petitioner:

1.K SITA RAM

Counsel for the Respondent(S):

1.

The Court made the following order:

Learned counsel for the petitioner submitted that pursuant to decree passed in O.S.No.390/2016 (money decree), the petitioner/D.Hr got filed E.P.No.91/2017 to execute decree by bringing the schedule property which got attached before the judgments by way of sale against respondent no.1 herein/J.Dr. In the said E.P, the 2nd respondent got filed E.A.No.646/2022 under Order XXI Rule 58 claiming his right over E.P schedule property. Pending adjudication of the said E.A.No.646/2022, the J.Dr filed application vide E.A.No.224/2024 in the said claim petition, to recall D.Hr for further cross-examination to confront with few documents which are necessary in adjudication of the application. He further submitted that the court below has allowed the said E.A.No.224/2024 erroneously and if the said order is allowed to subsist, it amounts to miscarriage of justice apart from affecting the rights of the petitioner. The petitioner got a good case to agitate before this Hon'ble Court in the present CRP. In the meantime, if the cross-examination takes place, the purpose of filing the CRP would be defeated. As such prayed to pass appropriate orders in that regard.

Perused the record. Considered the submissions made by the learned counsel for the petitioner. Prima facie, there is a point made out for consideration. As rightly contended by the learned counsel for the petitioner, if the said order is allowed to subsist and cross-examination takes place, there is every likelihood of affecting the rights of the petitioner and also would defeat the

purpose of filing the CRP. In view of the same, this Court is inclined to grant the following interim order:

There shall be stay of all further proceedings pursuant to orders passed in E.A.No.224/2024 for a period of four(04) weeks.

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Issue notice to the respondents.

Learned counsel for the petitioner is directed to take out personal notices on the respondents through RPAD and file proof of service before the registry.

Post on 25.07.2025.

BRS

RAVI CHEEMALAPATI,J