

APHC010413042019



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

[3572]

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

CIVIL MISCELLANEOUS APPEAL NO: 562/2019

Between:

1. KATAKAM RAMA DEVI, W/O. SATYANARAYANA REDDY, AGED ABOUT 55 YEARS, OCC- SUPERVISOR, O/O. ZOOMS MENSWEAR READY-MADE SHOP, 5TH LANE, MAIN ROAD, ARUNDELPET, GUNTUR. GUNTUR DISTRICT.

...APPELLANT

AND

1. KATAKAM SATYANARAYANA REDDY, S/o. K.V. Krishna Reddy, Aged about 61 years, Occ- Retd. Employee, R/o. Lingamguntla, Agraharam Village, Narasaraopet Mandal. DMC.

...RESPONDENT

Appeal Under Section _____ against orders Memorandum of Appeal being aggrieved by the order and decree dated 30.08.2019 passed in H.M.O.P. No. 250 of 2016 on the file of the Addl. Senior Civil Judge, Narasaraopet

IA NO: 1 OF 2019

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 suspend the Judgment and Decree dated 30.08.2019 passed in HMOP No. 250 of 2016 on the file of the Hon'ble Addl. Senior Civil Judge, Narasaraopet, Guntur District pending disposal of CMA

Counsel for the Appellant:

1.PALLAGANI RAVI BABU

Counsel for the Respondent:

1.ANAND KUMAR KOCHIRI

The Court made the following:

JUDGMENT:--(per Hon'ble Sri Justice Ravi Nath Tilhari)

This appeal has been filed by the appellant/wife, being aggrieved by the judgment and decree dated 30.08.2019 passed in H.M.O.P. No.250 of 2016 on the file of the Addl. Senior Civil Judge, Narasaraopet, whereby the petition filed by the respondent/husband under Section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955, was allowed granting a decree of divorce.

2. On 31.12.2019, a Co-ordinate Bench granted stay of the impugned decree. Since then, the matter has been listed on different dates; however, it was repeatedly adjourned, mainly at the instance of the appellant's counsel.

3. On 24.09.2025, the following order was passed :

"It is represented that Sri Ravi Babu, learned counsel, is entering appearance in place of Sri K Viswanatham, learned counsel for the appellant. At his request, list the matter on 08.10.2025.

As it is an old matter, no further adjournments will be granted, more particularly in view of the urgency expressed by the learned counsel for the respondent."

4. On 08.10.2025 also the Co-ordinate Bench passed the following order :

"As seen from the docket proceedings, the matter is being adjourned, at the request of the learned counsel for the appellant. On 24.09.2025, it is made clear that no further adjournments would be granted.

However, a request is made on behalf of the learned counsel for the appellant by a counsel, who is sitting in a car, hence the request is rejected.

Heard learned counsel for the respondent, who had drawn the attention of this Court to the relevant findings recorded, by the learned Additional Senior Civil Judge, Narasaraopet, in the order under appeal and he also submits that under the guise of the present proceedings, the appellant made a representation to the authorities concerned and in view of the same, the retirements benefits of the respondent were not been released so far.

List the matter on 29.10.2025, under the caption "for Orders".

In the meanwhile, the learned counsel for the respondent to file copies of the depositions of the witnesses."

5. On the said date also, a request for adjournment was made on behalf of the appellant's counsel, which was rejected by the Court, observing that the counsel was "sitting in a car."

6. On 15.04.2026, we passed the following order :

"Learned counsel for the respondent submits that pursuant to the order dated 08.10.2025, the respondent has filed copies of the depositions of the witnesses.

2. None appears for the appellant.

3. List on 29.04.2026.

4. It is made clear that, if the learned counsel for the appellant does not appear on the next date of listing, the Court may proceed to pass appropriate orders in his absence."

7. Sri Mani, learned counsel, representing Sri Pallagani Ravi Babu, learned counsel for the appellant, appeared through virtual mode; however, he was not in proper robes. He sought an adjournment of the matter. When his attention was drawn to the earlier order dated 24.09.2025, he nevertheless persisted in seeking adjournment.

8. Having regard to the previous orders passed by this Court, we find that there is no justifiable ground for adjournment, and accordingly, the request is rejected.

9. The Civil Miscellaneous Appeal is dismissed for want of prosecution.

10. This Court deems it appropriate to observe that Sri Mani, learned counsel, who appeared through virtual mode without proper robes, shall ensure that, in future, he adheres to the prescribed dress code while appearing before this Court, failing which appropriate orders will be passed. Sri Pallagani Ravi Babu, learned counsel for the appellant, is also directed to instruct his juniors to appear properly attired in full uniform and with due preparation.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

RAVI NATH TILHARI, J

BALAJI MEDAMALLI, J

Date :29.04.2026.
RPD.

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

((DISMISSED FOR WANT OF PROSECUTION))

CIVIL MISCELLANEOUS APPEAL NO: 562 OF 2019

Date: 29.04.2026

RPD.