

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: A.S.No.1199 of 2018

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
12.	04.08.2025	<u>RNT, J & MRK, J</u> <u>I.A.No.1 of 2024</u> This is an application filed by the 1st respondent/plaintiff, to vacate the interim order dated 07.08.2018. 2. This appeal was filed by the 2nd defendant. The 1st respondent is the plaintiff in the suit. 3. On 25.06.2025 in I.A.No.2 of 2024, we allowed the necessary amendments to be made to implead the respondents 3 and 4 only, who are the subsequent transferees from the appellant. 4. In I.A.No.1 of 2024, on 07.08.2018, the following order was passed: <i>“There shall be interim stay subject to deposit of suit costs within four weeks from today and on condition that the petitioner-appellant shall not alienate the property, change its nature or create any third party rights thereupon, pending further orders. On deposit of suit costs, it is open to the 1st respondent-plaintiff to withdraw the said amount without furnishing any security.”</i> 5. Sri P.Sridhar Reddy, learned counsel for the applicant submits that the appellant has violated the terms of the interim order and during	

		its continuous, the appellant has transferred part of the property in favour of the newly impleaded respondents as also, has created third party rights by creating encumbrance on the property. Consequently, he submits that the interim order deserves to be vacated. 6. Sri Chamarty Leela Srinivasa Varma, learned counsel appearing for the appellant, does not dispute the same. He also submits that already one transaction had taken place during pendency of the suit and one had also taken place after the interim order was passed. Part of the property was also mortgaged with the Bank. But, he submits that the property has been released from the mortgage. Be that as it may. 7. In view of the admission of acting in violation of the terms of the interim order, the appellant is not entitled for continuance of the interim order. We vacate the interim order. 8. The I.A.No.1 of 2024 is allowed. <u>A.S.No.1199 of 2018</u> 9. Let the appeal be listed for final hearing. RNT, J MRK, J Pab	
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