

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE D.V.S.S.SOMAYAJULU
CIVIL REVISION PETITION NO: 2034 OF 2023



Between:

Pilla Durga Prasad, S/o VarahalaRao, aged 56 years, Proprietor, M/s Aditya Motors, D.No.5-7/8-56/76A, Rajiv Sarma Nagar, Behind Sowmya Theatre and Sai Ram Theatre, Vijayawada.520 001, AP.

Petitioner

AND

1. Dogiparthi Venkata Satish, S/o late PoornachandraRao, aged 43 years, R/o Venkata Enclave, Flat No.8, 3rd Floor, 1/5, Ramannapet, Guntur.
2. DogiparthiVenkataHanumath Kishore, S/o late PoornachandraRao, aged 44 years, Rep by his GPA Holder, Mr D.V.Satish, R/o Venkata Enclave, Flat No.8, 3rd Floor, 1/5, Ramannapet, Guntur
3. M/s Associated Auto Service Pvt Ltd., Rep by Madhavi D/o GaliBenerjee, Hindu, aged 48 years, C/o R.M. Motors, Opp. Gateway Hotel, Vijayawada.
4. Korrapati Ankineedu Prasad, Director, M/s Associated Auto Service Pvt Ltd., Aged 50 years, DattiSimhadri Street, 39-14-12, Labbipet, Vijayawada.
5. PaladuguSurendra, Director, M/s Associated Auto Service Pvt. Ltd., Aged 48 years, 6 22/11, F.9, Arjun Apartments, East Point Colony, Visakhapatnam.

Respondents

Petition under Article 227 of the Constitution of India is filed being Aggrieved by the Docket Order dated 02/08/2023 and further orders passed by the Court of IV Addl. District and Sessions Judge, Guntur in O.S.No.118 of 2012.

IA NO: 2 OF 2023:

Petition under Section 151 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 grant stay of all further proceedings in the suit O.S.No.118 of 2012 on the file of Court of IV Addl. District and Sessions Judge, Guntur, Pending disposal of CRP 2034 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Smt. C SINDHU KUMARI Advocate for the Petitioner, the Court made the following

ORDER:

“Heard learned senior counsel appearing for the petitioner. Considered the averments in the affidavit and in particular, para 8 of the affidavit, wherein it is mentioned that the case is posted to 23.08.2023, when it is stated that an order of decree for eviction is going to be passed.

Even if the defence is struck off, this Court is of the opinion that the decree cannot be passed straight away.

Learned trial Judge is requested not to pass any final orders in the suit as the apprehension expressed by the petitioner in the affidavit if it is true, will have a very serious consequences on the disposal of the case and the rights of the parties.

Learned counsel for the petitioner is permitted to take out personal notice to the respondents by RPAD and file proof of service in the Registry.

List on 28.08.2023."

//TRUE COPY//

Sd/- G. SRINIVAS REDDY
ASSISTANT REGISTRAR

A'

SECTION OFFICER

To,

1. The IV Addl. District and sessions Judge, Guntur.
2. Dogiparthi Venkata Satish, S/o late PoornachandraRao, aged 43 years, R/o Venkata Enclave, Flat No.8, 3rd Floor, 1/5, Ramannapet, Guntur.
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6. PaladuguSurendra, Director, M/s Associated Auto Service Pvt. Ltd., Aged 48 years, 6 22/11, F.9, Arjun Apartments, East Point Colony, Visakhapatnam.
(Addresses 1 to 5 by RPAD)
7. One CC to SRI. C SINDHU KUMARI Advocate [OPUC]
8. One spare copy

ER

HIGH COURT

DVSS,J

DATED:18/08/2023

LIST ON 28.08.2023

ORDER

CRP.No.2034 of 2023

DIRECTION

