

**HIGH COURT OF ANDHRA PRADESH:: AMARAVATI**

**MAIN CASE NO.:S.A.No.637 of 2025**

**PROCEEDING SHEET**

<b>Sl. No.</b>	<b>Date</b>	<b>ORDER</b>	<b>OFFICE NOTE</b>
04.	23.03.2026	<p><b><u>VGKR,J</u></b></p> <p style="text-align: center;"><b><u>S.A.No.637 of 2025</u></b></p> <p>Heard both sides.</p> <p>The following substantial questions of law in the present Second Appeal have been framed for determination under Section 100 of the Code of Civil Procedure, (for 'short the C.P.C.)</p> <ol style="list-style-type: none"><li>1. <i>“Whether the interpretation placed by the Courts below with regard to the proviso to section 34 of the Specific Relief Act, 1963?”</i></li><li>2. <i>“Whether the Courts below acted legally in decreeing the suit for permanent injunction even though the plaintiff has failed to prove possession of the property?”</i></li><li>3. <i>“Whether the Court below acted legally in declaring that the sale deeds executed dated 02.08.2002 and 02.02.2007 are null and void even though the relief is barred by limitation under Article 58 of the Limitation Act?”</i></li><li>4. <i>“Having regard to the fact that the relief sought for cancellation of the sale deed of the year 2002 and the suit was filed on 19.09.2016, whether the courts below acted legally in decreeing the suit even though the relief of declaration is barred by</i></li></ol>	

*limitation?"*

**ADMIT.**

**I.A.No.1 of 2025**

Heard learned counsel on both sides.

Since the Second Appeal has been admitted, the execution of decree and judgment dated 01.05.2025, passed by the learned IV Additional District Judge, Nellore, in A.S.No.94 of 2022, in confirming the judgment and decree of the learned Principal Senior Civil Judge, Nellore passed in O.S.No.355 of 2016 dated 13.06.2022 has been stayed till 16.04.2026.

**S.A.No.637 of 2025**

Learned Senior Counsel appearing on behalf of the appellant(s) fairly conceded that they will not alienate the property in favour of third party, till the disposal of the Second Appeal and the same is recorded.

Registry is instructed to Call for trial Court record.

List the matter on 16.04.2026.

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**VGKR, J**

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