



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

[3460]

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

APPEAL SUIT NO: 459/2025

Between:

1. VASA MOHAN REDDY, S/O RAMI REDDY, AGED ABOUT 62 YEARS, R/O DOOR NO 27-1-565, VASAVI NAGAR, BALAJI NAGAR, NELLORE CITY.

...APPELLANT

AND

1. AKILI MURALI PRASAD, S/O. KRISHNAMURTHY, AGED 57 YEARS, R/O. 26/14/1105, B.V. NAGAR, A.K. NAGAR POST, NELLORE. (RESPONDENT / DECREE HOLDER)

2. KONDURU ASHOK KUMAR REDDY, S/O. PARANDHAMIREDDY, AGED 52 YEARS, R/O. PLOT NO.C-2, SRINIVASA ENCLAVE, 3RD FLOOR, OPP. DUPLEX HOUSE, MAGUNTA LAYOUT, NELLORE

3. PUNDIA SIVA KUMAR REDDY, S/O. SUBBA REDDY, AGED 59 YEARS, R/O 3RD FLOOR, PSR ENCLAVE, 24-2-395 A, CAN OFFICE BUILDING. SARASWATHI NAGAR, DARGAMITTA, NELLOR

...RESPONDENT(S):

Memorandum of Appeal aggrieved by the order dated 19.03.2025 in E.A.No.173 of 2022 in E.P No 239 of 2019 in O.S No 305 of 2012 on the file of the court of VI Additional District Judge, Nellore, SPSR Nellore District.

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 condone the delay of [20] days in filing the appeal in the interest of justice and pass such other orders.

IA NO: 2 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 grant stay of all further proceedings in E.P.No.239 of 2019 in O.S.No.305 of 2012 on the file of the VI Additional District Judge, Nellore, SPSR Nellore District, pending disposal of the appeal in the interest of Justice and to pass such other orders.

Counsel for the Appellant:

1.SIVAPRASAD REDDY VENATI

Counsel for the Respondent(S):

1.

APPEAL SUIT NO: 460/2025**Between:**

1.SETTYPALLI RAMESH, S/O VEERASWAMI, AGED ABOUT 51 YEARS, R/O DOOR NO 28-3-18, SRIRAM NAGAR COLONY, MYPADU GATE CENTRE, NELLORE CITY
...APPELLANT

AND

1.AKILI MURALI PRASAD, S/O. KRISHNAMURTHY, AGED 57 YEARS, R/O.26/14/1105, B.V. NAGAR, A.K. NAGAR POST, NELLORE. (RESPONDENT / DECREE HOLDER)

2.KONDURU ASHOK KUMAR REDDY, S/O. PARANDHAMIREDDY, AGED 52 YEARS R/O. PLOT NO.C-2, SRINIVASA ENCLAVE, 3RD FLOOR, OPP. DUPLEX HOUSE, MAGUNTA LAYOUT, NELLORE

3.PUNDIA SIVA KUMAR REDDY, S/O. SUBBA REDDY, AGED 59 YEARS, R/O 3RD FLOOR, PSR ENCLAVE, 24-2-395 A, CAN OFFICE BUILDING. SARASWATHI NAGAR, DARGAMITTA, NELLORE. (RESPONDENTS / JUDGEMENT DEBTORS)

...RESPONDENT(S):

Memorandum of Appeal aggrieved by the order dated 19.03.2025 in E.A No. 188 of 2022 in E.P.No.239 of 2019 in O.S No 305 of 2012 on the file of the court of VI Additional District Judge, Nellore, SPSR Nellore District.

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 grant stay of all further proceedings in E.P No 239 of 2019 in O.S. No.305 of 2012 on the file of the VI Additional District Judge, Nellore, SPSR Nellore District, pending disposal of the appeal in the interest of Justice.

Counsel for the Appellant:

1.SIVAPRASAD REDDY VENATI

Counsel for the Respondent(S):

1.C SUBODH

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY**APPEAL SUIT Nos.459 and 460 of 2025****JUDGMENT:**

1. The learned counsel for the Appellants submits that the present Appeals were filed questioning the Orders dated 19.03.2025 passed in E.A.Nos.173 and 188 of 2022 respectively in E.P.No.239 of 2019 in O.S.No.305 of 2012 by the VI Additional District Judge, Nellore, S.P.S.R. Nellore District, wherein the claim applications of the Appellants were rejected by the executing Court.

2. The learned counsel for the Appellants further submits that subsequently E.P.No.239 of 2019 proceedings were closed and in that view, the Appellants does not seek to pursue the present Appeals and seeks permission of this Court for withdrawal of the same.

3. Permission is accorded.

4. Accordingly, the Appeals are dismissed as withdrawn.

5. No order as to costs.

6. As a sequel, pending applications, if any, shall stand closed.

NYAPATHY VIJAY, J

Date: 20.04.2026

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THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

APPEAL SUIT Nos.459 and 460 of 2025

Date: 20.04.2026

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