



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3311]**

Monday, the 17th day of August, 2026

Present

The Honourable Ms. Justice B. S. Bhanumathi

Civil Revision Petition No. 2162 of 2025

Between:

1. Kanamarlapudi Satyanarayana, S/o. Chinna Subbarayudu, aged about 62 years, occupation : business, R/o. Flat No.511, Himagiri heights apartment, Vinayaka nagar, old Hafizpet, Hyderabad, 42. previously residing at Porumamilla town and mandal, Kadapa district.

... Petitioner

and

1. Kanamarlapudi Radhika, W/o. Sateesh, aged about 42 years, occupation : business, R/o. Ammavarisala street (main bazaar), Porumamilla village and mandal, Kadapa district.

... Respondent

Counsel for the petitioner:

1. V.Nitesh

Counsel for the respondent:

1. Pappudippu Sashidar Reddy

The Court made the following order:

This civil revision petition is filed under Article 227 of the Constitution of India against the order dated 28.07.2025 in I.A.No.591 of 2025 in A.S.No.49 of 2025 on the file of IV Additional District Judge, Kadapa filed under Order LXI Rule 5 (1) and section 151 of C.P.C. to grant stay of execution proceedings in O.S.No.3 of 2020 on the file of the Court of Senior Civil Judge, (Fast Track Court), Rajampeta, at Badvel.

02. The respondent herein filed a suit in O.S.No.03 of 2020 against the revision petitioner herein for recovery of money. The suit was decreed on 02.05.2025. Aggrieved by the decree and judgment, the respondent herein filed an appeal in A.S.No.49 of 2025. Along with the appeal, he filed I.A.No.591 of 2025.

03. On 28.07.2025, while allowing with the petition, the appellate Court passed the following order:

“ In the result, the petition is allowed by granting stay of execution proceedings in O.S.No.03 / 2020 on the file of Additional Senior Civil Judge (Fast Track) Court, Rajampet at Badvel, until further orders subject to deposit of half (1/2) of the decretal amount by the petitioner / appellant within two weeks from the date of this order”.

04. Then, aggrieved by the above order, the petitioner / appellant filed this revision petition challenging the condition imposed therein for depositing half of the decretal amount.

05. The learned counsel for the revision petitioner submitted that the above noted condition, despite prima facie satisfaction of the appellate Court with the merit in the appeal, would practically defeat the right of appeal as the condition is onerous to comply with. On the other hand, the learned counsel for the respondent prayed to dismiss the revision petition as there is no merit.

06. Since the trial Court passed the decree on consideration of the evidence and the same was challenged in appeal by the defendant, to secure the balance of interest of both parties pending adjudication of the appeal, it is necessary to stay the execution proceedings or operation of the decree and judgment, however, subject to certain terms and conditions.

07. Here, the revision petitioner contends that the condition is onerous; apart from challenging the same on the other grounds mentioned above through the revision petitioner could not make out any case to set aside the condition in its entirety, this Court is of the view that since the direction to pay 50% of the decretal amount places onerous obligation on the appellant even before the matter is adjudicated on merits, it can be altered as $\frac{1}{3}^{\text{rd}}$ of the decretal amount.

08. As such, the revision petition is partly allowed by modifying the condition to deposit 50 % of the decretal amount to $\frac{1}{3}^{\text{rd}}$ of the decretal amount payable within two (02) weeks from the date of receipt of the copy of this order. If the revision petitioner fails to comply the condition, the order of stay stands vacated, without any further order.

There shall be no orders as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in this civil revision petition shall stand closed.

JUSTICE B.S. BHANUMATHI

Dated. 17.08.2026
B/o.
C.C. by 24.08.2026
GRL

138

The Honourable Ms. Justice B.S.Bhanumathi

C.R.P. No.2162 of 2025

**Dated. 17.08.2026
B/o.
C.C. by 24.08.2026
GRL**