

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE TWENTY FIFTH DAY OF SEPTEMBER,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:
HONOURABLE SRI JUSTICE V SRINIVAS

IA No. 2 OF 2024
IN
AS NO: 103 OF 2024

Between:

M.A.Rafeeqe, S/o. Mahaboob Saheb, Prop., Safa Marwah
Constructions, Aged about 62 years Business, back side of House With
Door No.26-3-966 of C.Abhirami Reddy, Bank Colony, B.V.Nagar,
Nellore City

...Appellant/Defendant

AND

Nanduri Gopala Chari, S/o. Kotaiah, Aged about 62 years, Retired
Lecturer, R/o.D.No.27-7-1125/2, Flat No.101, Srinagar, 5th Lane,
A.C.Nagar, Nellore-02

...Respondent/Plaintiff

Counsel for the Petitioner: Sri. C SUBODH

Counsel for the Respondent: Sri. M PITCHAIAH

Petition under Order 41 Rule 5 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 stay all further proceedings pursuant to Decree and
Judgment dt.17.04.2023, in O.S.No.14 of 2017 on the file of I Addl. District
Judge, Nellore pending disposal of the appeal.

The court while directing issue of notice to the Respondents herein to
show cause as to why this application should not be complied with, made the



following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

The Court made the following ORDER:

Heard learned counsel for the petitioner/appellant.

Having regard to the facts and circumstances of the appeal and submissions made by the learned counsel for the petitioner/appellant, there shall be an interim stay of all further proceedings pursuant to the decree and judgment dated 17.04.2023 passed in O.S.No.14 of 2017 on the file of the learned I Additional District Judge at Nellore, subject to the condition that the petitioner/appellant shall deposit 50% of the suit amount along with costs, within a period of six (6) weeks from today, failing which this order shall stand vacated automatically.

The respondent/plaintiff is permitted to withdraw the 50% of the suit amount by furnishing security.

Accordingly, this application is ordered.

//TRUE COPY//

**SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The I Additional District Judge at Nellore.
2. Nanduri Gopala Chari, S/o. Kotaiah, Aged about 62 years, Retired Lecturer, R/o.D.No.27-7-1125/2, Flat No.101, Srinagar, 5th Lane, A.C.Nagar, Nellore-02. (BY RPAD)
3. One CC to Sri. C SUBODH, Advocate [OPUC]
4. One CC to Sri. M PITCHAIAH, Advocate [OPUC]
5. One spare copy

JSS

HIGH COURT

SV, J

DATED:25/09/2025

LIST THE MATTER IN THE USUAL COURSE.

ORDER

IA No. 2 OF 2024
IN
AS NO: 103 OF 2024

INTERIM STAY

