

[3207]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
THURSDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO



: PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND
CIVIL REVISION PETITION NO: 1874 OF 2022

Between:

1. Orusu Varalakshmi, W/o Lakshmana Rao, age 49 years, R/o D.No. 3-6-21D, Narindi China Appala Swamy Street, Ramarajyanagar, Vidyadharapuram, Vijayawada, NTR District (Previously Krishna Dist.)
2. Orsu Karthik, S/o Lakshmanara Rao, age 30 years, R/o D.No. 3-6-21D, Narindi China Appala Swamy Street, Ramarajyanagar, Vidyadharapuram, Vijayawada, NTR District (Previously Krishna dist.)
3. Orsu Dilip Kumar, S/o Lakshmanara Rao, age 28 years, R/o D.No. 3-6-21D, Narindi China Appala Swamy Street, Ramarajyanagar, Vidyadharapuram, Vijayawada, NTR District (Previously Krishna dist.)
4. Orsu Divya Devi, D/o Lakshmanara Rao, age 27 years, R/o D.No. 3-6-21D, Narindi China Appala Swamy Street, Ramarajyanagar, Vidyadharapuram, Vijayawada, NTR District (Previously Krishna dist.)

Petitioners

AND

Pandiripalli Appala Raju, S/o Apparao, aged about 43 years, Fruits and Vegetable Vendor, D.No.3-1-18, Vidyadharapuram, Vijayawada, NTR District (Previously Krishna dist.)

Respondent

WHEREAS the Petitioner above named through their Advocate SRI P N MURTHY presented this Petition under Section 115 of C.P.C, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the order in CMA No. 1 of 2022 on the Court of the V Additional District Judge, Vijayawada dt. 07-07-2022 and the order in E.A.No.20 of 2020 in E.P. 15 of 2016 in O.S.No. 1799 of 2014 on the file of VII Additional Senior Civil Judge, Vijayawada dt. 16-12-2021 by allowing the CRP

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri P N MURTHY Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this CIVIL REVISION PETITION should not be admitted.

You viz:

Pandiripalli Appala Raju, S/o Apparao, aged about 43 years, Fruits and Vegetable Vendor, D.No.3-1-18, Vidyadharapuram, Vijayawada, NTR District (Previously Krishna dist.)

Are be and here by directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this CIVIL REVISION PETITION should not be admitted, on or before 20-10-2022, on which date the case stands posted for hearing

IA NO: 1 OF 2022

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 pursuance of the decree in OS.No.1799 of 2014 dated 12-08-2015 and also EP.No.15 of 2016 dated 14-03-2019 on the file of the VII Senior Civil Judge, Vijayawada, pending disposal of CRP 1874 of 2022, on the file of the High Court.

ORDER:

“Heard learned counsel for the petitioners. On perusal of the record, in the considered opinion of this Court, the petitioners, without filing any appeal against the decree, dated 12.08.2015 passed in Original Suit No.1799 of 2014 on the file of the Court of learned VII Additional Senior Civil Judge, Vijayawada and obtaining stay in successfully stalling the Execution Proceedings from the year 2016 by one way of another. Hence, this Court is not inclined to interfere in the Civil Revision Petition.

However, learned counsel for the petitioners sought time to settle the issue between the parties by making payment of the entire amount by the petitioners.

Considering the submissions of the learned counsel for the petitioners, in the considered opinion of this Court, it is appropriate to give one more opportunity to the petitioners to settle the issue permanently.

In view of the above, issue notice to respondent.

Learned counsel for the petitioners is permitted to take out personal notice to the respondent or his counsel in the Court below by registered post with acknowledgment due and file proof of service in the Registry within three (3) weeks.

Post the matter on 20.10.2022.

In view of the above facts and circumstances of the case, there shall be interim stay of all further proceedings in Original Suit No.1799 of 2014 dated 12.08.2015 and also E.P.No.15 of 2016 dated 14.03.2019 on the file of the Court of VII Additional Senior Civil Judge, Vijayawada till 10.11.2022.”

Sd/- K.J. Raja Babu
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The VII Senior Civil Judge, Vijayawada
2. Pandiripalli Appala Raju, S/o Apparao, aged about 43 years, Fruits and Vegetable Vendor, D.No.3-1-18, Vidyadharapuram, Vijayawada, NTR District (Previously Krishna dist.) (by RPAD)
3. One CC to SRI. P N MURTHY Advocate [OPUC]
4. One spare copy



HIGH COURT

DEVJ

DATED:22/09/2022

POST ON 20-10-2022

NOTICE BEFORE ADMISSION

CRP.No.1874 of 2022

INTERIM STAY

