



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3524]

WEDNESDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM
CIVIL MISCELLANEOUS APPEAL NO: 436/2008**

Between:

Poojari Narayana Reddy

...APPELLANT

AND

Poojari Kumari

...RESPONDENT

Counsel for the Appellant:

1. J UGRANARASIMHA

Counsel for the Respondent:

1.

The Court made the following:

JUDGMENT: *(per Hon'ble Sri Justice Ravi Nath Tilhari)*

The appellant is the husband. He filed a petition under Section 9 of the Hindu Marriage Act, 1955, for restitution of conjugal rights, and the same was dismissed on 25.10.2000 by the Court of Senior Civil Judge, Srikalahasthi. Challenging the same, the present appeal has been filed by the husband.

2. On 08.07.2024, the following order was passed:

“Learned counsel for the appellant submits that the petition of the husband/appellant for restitution of conjugal rights was dismissed on 25.10.2000. Challenging the same, the present appeal has been filed.

2. The matter has been listed after 2008.

3. Learned counsel for the appellant submits that one opportunity be given to him to obtain the latest instructions from the appellant.

4. As per the order dated 10.06.2008, it is evident that the respondent was served, but none appeared for the respondent.

5. However, it is open for the appellant to take fresh steps for service on the respondent, in addition to the normal mode of service by RPAD as well.

6. List on 05.08.2024.”

3. Thereafter, on 05.08.2024, the following order was passed:

“As per the Office report, dated 05.07.2024, the notice sent to the respondent was returned unserved, as per the postal endorsement “for want of door number”.

2. Learned counsel for the appellant submits that pursuant to the order, dated 08.07.2024, the appellant had taken fresh steps for service on the respondent and prays a week’s time to file a memo of proof of service.

3. Post on 12.08.2024.”

4. Again, on 12.08.2024, the following order was passed:

“Learned counsel for the appellant submits that the notice has been sent to the respondent, pursuant to the order dated 05.08.2024.

2. She prays for time to file memo of proof of service.

3. List on 02.09.2024.”

5. As per the office report dated 09.08.2024 memo of proof of service has not been filed. In spite of the time having been taken to file memo of proof of service vide order dated 12.08.2024. Memo of proof of service has not been filed even as per the latest office report dated 03.12.2025.

6. The appellant has not taken fresh steps pursuant to the orders passed previously.

7. The Civil Miscellaneous Appeal is dismissed for “want of prosecution”.

No order as to costs.

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

RAVI NATH TILHARI, J

MAHESWARA RAO KUNCHEAM, J

Date: 10.12.2025

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
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DATE: 10.12.2025

JLV