

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE NINETENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE



PRESENT

HONOURABLE SRI JUSTICE B.KRISHNA MOHAN
AND
HONOURABLE SRI JUSTICE A.HARI HARANADHA SARMA

IA NO.1 OF 2025

IN

CIVIL MISCELLANEOUS APPEAL NO: 1323 OF 2008

Between:

C.S.Saibaba, S/o.C.S.Sreeramulu, aged 70 years, R/o.Gurrakonda,
Chittoor District.

...Petitioner/Appellant

AND

S.Padmavathi @ Padmavathamma, D/o.Venkatramaiah, R/o.Bhavani
Type Institute, Sangasamudram, Gurramkonda Mandal, Chittoor
District.

...Respondent/Respondent

IA NO: 1 OF 2025

Petition under Order 9, Rule 9 of CPC praying that for the reasons
stated in the accompanying affidavit, filed in support of the petition, the High
Court may be pleased to set aside the dismissal Order, dated 06-02-2025
and restore the CMA No.1323 of 2008 and hear the appeal on merits.

CMA NO: 1323 OF 2008:

Appeal under Section 28 of the Hindu Marriage Act, 1995, against the
Order and Decree, dated 03-10-2007 passed in O.P.No.17 of 2002, on the file
of the Senior Civil Judge, Piler, Chittoor District.

This petition coming on for hearing, upon perusing the petition filed by Smt M.Suguna, Advocate for petitioner/appellant, and none appeared for the respondent, the Order of the High Court dated 06-02-2025 in C.M.A No.1323 of 2008.

The Court made the following:

ORDER:

The learned counsel for the petitioner/appellant submits that, this I.A.No.1 of 2025 was already served on the respondent, but there is no representation for the respondent.

Having considered the facts and circumstances, this I.A. is ordered by restoring the C.M.A. on the file of this Court by setting aside the dismissal for default order dated 06.02.2025.

Accordingly, this Civil Miscellaneous Appeal is restored to its original file.

//TRUE COPY//

**Sd/- S.V.S.R.MURTHY
JOINT REGISTRAR**


SECTION OFFICER

To,

1. The Civil Judge (Senior Division), Piler, Chittoor District.
2. One CC to Smt M.Suguna, Advocate [OPUC]
3. One CC to Sri Chetluru Sreenivas, Advocate [OPUC]
4. The Section Officer, VR Section, High Court of Andhra Pradesh at Amaravathi.
5. **Three CD Copies**

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HIGH COURT

DATED:19/06/2025

Note: After dispatch of this order, file may be sent to CMA Section for further posting on 03.07.2025.

ORDER

I.A. NO.1 of 2025 in CMA.No.1323 of 2008



RESTORING THE CMA