

HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

MAIN CASE NO.: WP.No.26560 of 2025

PROCEEDING SHEET

SI. No.	DATE	ORDER	OFFICE NOTE
02.	09-10-2025	<u>KM, J</u> Heard the submissions of Sri P. Vivek, learned counsel for the petitioners. It is contended that the unofficial respondent has executed a gift settlement deed in favour of the petitioners and their mother in 2018. By virtue of the said deed, the unofficial respondent No.4 has retained life interest in respect of the subject property. The unofficial respondent No.4 is residing on the ground floor portion of the subject property which has separate door number. It is contended that the petitioner has constructed first floor portion investing his personal funds and it has a separate door number. Having regard to the same, the learned counsel for the petitioners contends that the order passed by the respondent No.3 directing to deliver all the properties which are in possession of the petitioners is not sustainable. Learned counsel for the petitioners further argues that as far as the other property i.e., D.No.2-67 is concerned, the gift settlement	(Contd...)

	deed was executed by the mother of the petitioners and the unofficial respondent No.4 has not executed any document in favour of the petitioners. Learned counsel thus argues that ordering the petitioners to deliver the possession of the subject properties which are in possession of the petitioners by virtue of gift settlement deed, executed by the mother of the petitioners and by virtue of the construction made by the 1st petitioner is unjust and is unsustainable. Having regard to the submissions advanced, this Court deems it appropriate to issue notice to the respondents. Learned counsel for the petitioners is permitted to takeout notice to the unofficial respondent No.4 through registered post with acknowledgment due and file proof of service in the Registry by the next date of hearing. Post on 06.11.2025. Till such time, there shall be interim suspension of the impugned proceedings subject to the condition that the petitioners in any manner shall not disturb the possession of the unofficial respondent No.4 as far as the ground floor portion of the building in D.No.2-140 is concerned and shall take all necessary	(Contd...)
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		steps for providing basic necessities to the unofficial respondent No.4. MSI KM, J	
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