

APHC010525682025



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

[3332]

FRIDAY, THE SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 408/2026

Between:

Bezawada Govindareddy

...PETITIONER

AND

Sarangam Nagaraju

...RESPONDENT

Counsel for the Petitioner:

1. SRINIVAS BOBBILI

Counsel for the Respondent:

1.

The Court made the following interim order:

C.R.P.No.408 of 2026

Notice before admission.

Learned counsel for petitioner is permitted to take out personal notice on respondents by registered post with acknowledgment due and file proof of service in the Registry.

Post on 10.04.2026.

JUSTICE RAVI CHEEMALAPATI

I.A.No.01/2026

Dispensed with.

JUSTICE RAVI CHEEMALAPATI

I.A.No.02/2026

Heard Sri L.Ravi Chander, learned Senior counsel representing learned counsel for the petitioner.

2. Learned Senior counsel for petitioner submitted that, petitioner is the defendant in the suit filed for recovery of money vide O.S.No.69/2010. He further submitted that, since an ex-parte decree was passed on 29.07.2011, the petitioner filed I.A.No.943/2011 to set aside the said ex-parte decree, which was dismissed for default on 13.06.2013. He further submitted that, on 07.08.2013, the petitioner filed restoration petition which was numbered as I.A.No.70/2015 and filed a delay petition which was numbered as I.A.No.514/2014. He further submitted that, the court below has allowed the delay petition but dismissed the restoration petition as default, on the ground of non-appearance of petitioner's counsel. In the meantime, the plaintiff/respondent is proceeding with the execution of ex-parte decree by filing E.P.No.42/2018 wherein the learned Senior civil Judge, Kovur passed orders dated 29.08.2024 declaring that E.P.Schedule property is liable for auction for realization of decretal amount to the D.Hr.

3. Learned Senior counsel for the petitioner further submitted that, if the exparte decree order passed against the petitioner is not restored and the proceedings in E.P.No.42/2018 are materialized, the petitioner/defendant would suffer irreparable loss and hardship. As such prayed to consider the revision petition.

4. Perused the orders impugned in this revision petition. The submissions made by the learned senior counsel for petitioner and the grounds raised in this revision petition *prima facie* makes out a point for consideration to be decided in this revision petition. As such this Court is inclined to grant the following interim direction:

There shall be stay of all further proceedings in E.P.No.42 of 2018 in O.S.No.69 of 2010 on the file of learned Senior civil Judge, Kovur, till the next date of hearing, subject to payment of Rs.3,00,000/- which is to be deposited in the suit account within four(04) weeks from today.

BRS

JUSTICE RAVI CHEEMALAPATI