

APHC010577022009



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

[3545]

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

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

FAMILY COURT APPEAL (FCA) NO: 180/2009

Between:

1. PANDI RAJESWARI AND ANOTHER, W/O. VARA PRASADA RAO,
R/O. 25-1-772, Z.P.COLONY, NELLORE DISTRICT.
2. PANDI VINEEL GOUD,, MINOR REP. BY MOTHER I.E., PETITIONER
NO.1 R/O. 25-1-772, Z.P.COLONY, NELLORE DISTRICT.

...APPELLANT(S)

AND

1. PANDI VARA PRASADA RAO, S/o. Venkaiah R/o. D.No. 25/393 5th
Cross Road, Lakeview Colony,

...RESPONDENT

Appeal is filed seeking to set aside the order dated 04.02.2009 passed in FCOP.No.341/2008 on the file of the Family court, Nellore in so far as dismissing the claim of the appellant No.1

IA NO: 1 OF 2009(FCAMP 193 OF 2009

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 condone the delay of 27 days in filing the above appeal in the interest of justice

IA NO: 2 OF 2009(FCAMP 360 OF 2009

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 direct the respondent herein to pay Rs. 5000/- towards interim maintenance to the petitioner no.1 herein pending disposal of the above appeal

Counsel for the Appellant(S):

1.NAMAVARAPU RAJESWARA RAO

Counsel for the Respondent:

1.RAMA RAO GHANTA

The Court made the following:

THE HON'BLE SRI JUSTICE BATTU DEVANAND
&
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

FAMILY COURT APPEAL No.180 of 2009

JUDGMENT: *(Per Hon'ble Sri Justice Battu Devanand)*

Learned counsel for the respondent is present.

2 On 12.09.2025, it was brought to the notice of this Court that the learned counsel for the appellants was elevated to the Bench of the Telangana High Court. Hence, we directed the Registry to issue notice to the appellants. Accordingly, registry issued notice to the appellants and it was returned unserved as 'unclaimed'. It is a settled law that unclaimed notice has to be treated as 'deemed service'. Hence, we posted the matter to 12.11.2025. On 12.11.2025, there is no representation for the appellants and to provide one more opportunity to the appellants, the matter was posted to 03.12.2025 under the caption 'for dismissal'. Today also there is no representation for the appellants.

2. It appears that the appellants have no interest to prosecute this Appeal.

3. Accordingly, this Family Court Appeal is dismissed for non prosecution. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE BATTU DEVANAND

JUSTICE A.HARI HARANADHA SARMA

Dated: 03.12.2025
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THE HON'BLE SRI JUSTICE BATTU DEVANAND
&
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

FAMILY COURT APPEAL No.180 of 2009

Dated: 03.12.2025

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