

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE: **C.C.(SR).No.44236 of 2025**

PROCEEDING SHEET

SL. No.	DATE	ORDER	OFFICE NOTE
1.	13.2.2026	<u>RNT,J</u> Heard Sri Sai Gangadhar Chamarty, learned counsel for the petitioners. 2. The petitioners have instituted the present Contempt Case alleging wilful disobedience on the part of the learned Principal Civil Judge (Junior Division), Machilipatnam, Krishna District, as well as respondent Nos.2 and 3, who are Court Ameenas, and the 4th respondent, who is the decree-holder in E.P.No.120 of 2022 in O.S.No.376 of 2008 on the file of the Principal Civil Judge (Junior Division), Machilipatnam, Krishna District. 3. The petitioners had earlier filed E.A.No.160 of 2025 in E.A.No.205 of 2024 in E.P.No.120 of 2022, which came to be dismissed by order dated 11.08.2025. Aggrieved thereby, they preferred C.R.P.No.2278 of 2025, which is pending before this Court. 4. In C.R.P.No.2278 of 2025, this Court passed an interim order dated	(contd..)

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		12.09.2025. The relevant and operative portion of the said order reads as under: <i>“11. Having regard to the submissions advanced, the operation of the orders dated 25.09.2024 and 11.08:2025 in E.P.No.120 of 2022 on the file of the Principal Civil Judge (Junior Division), Machilipätnam, Krishna District, and the demolition shall remain stayed, till the next date of listing.</i> <i>12. However, in the meantime, it shall be open to the learned Execution Court to direct the decree-holder to serve a copy of E.A.No.205 of 2024 upon the present petitioners, and grant them liberty to file their objections if any, within specified time and to pass fresh orders in E.A.No.205 of 2024, after affording due opportunity of hearing to the decree-holder, subject to further orders in this Civil Revision Petition.”</i> 5. Learned counsel for the petitioners submits that the interim order granted by this Court on 12.09.2025 was brought to the notice of the learned Execution Court by way of a memo dated 15.09.2025. A certified copy of the said memo has been filed along with the present Contempt Case. He further submits that an affidavit was also filed before the learned Execution Court on 16.09.2025. 6. He submits further that, notwithstanding the communication of the interim order of stay through the said memo, the	

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		learned Execution Court proceeded with the execution proceedings, pursuant to the order dated 25.09.2024 passed in the Execution Petition, which stood stayed by this Court, the Court Ameenias allegedly demolished a portion of the petitioners' house in execution of the decree. Thereafter, by order dated 18.09.2025, referring to the report of the Ameena, the learned Execution Court recorded that the delivery warrant had been effected and that possession of the property had been delivered in the Execution Petition. 7. In the said order dated 18.09.2025, the learned Execution Court observed that a copy of the interim order of this Court had not been received and that no orders could be passed on 16.09.2025. 8. Learned counsel for the petitioners submits that once a memo was filed on 15.09.2025 informing the Court about the grant of interim stay on 12.09.2025, though the certified copy was yet to be received, the learned Execution Court ought to have adjourned the matter and refrained from proceeding further with the execution, particularly with regard to delivery of possession. He submits further that the Court ought to have waited for production of the	

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		certified copy of the interim order instead of proceeding with the execution, resulting in demolition of the house and delivery of possession. 9. I.A.No.1 of 2026 has been filed seeking to implead respondent Nos.1 to 3 in the Contempt Case, as they were not parties to the Civil Revision Petition. 10. Pending consideration of I.A.No.1 of 2026, the learned Principal Civil Judge (Junior Division), Machilipatnam, Krishna District, shall submit a report explaining the aforesaid aspects as also, as to why the Execution Court did not await production of the certified copy of the interim order before it. The report shall be submitted in a sealed cover and through proper channel. 11. Let a copy of this order be sent and order communicated to the learned Principal District Judge, Machilipatnam, Krishna District, for necessary compliance at his end. 12. Post on 18.02.2026 at 3.30 pm., _____ RNT,J RPD	

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