



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

[3524]

WEDNESDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

APPEAL SUIT NO: 525/2008

Between:

1.M/S. EMPEE SUGARS & CHEMICALS LTD, NAIDUPET (M),
NELLORE,, REP BY ITS ASISTANT GENERAL MANAGER (P & A)
HAVING ITS FACTORY AND OFFICE AT: AYYAPAREDDYPALEM,
NAIDUPET MANDAL, NELLORE DISTRICT.

...APPELLANT

AND

1.M/S THE KOVUR COOPERATIVE SUGAR FACTORY LTD NELLORE,
Rep by its Managing Director, Having its Office at: Pothireddypalem
Village, Kovur Mandal, Nellore District.

...RESPONDENT

to set aside the judgment and decree dated 4-2-2008 in O.S. No. 23 of
2001 passed by the Principal District Judge, Nellore and decree the counter
claim of the appellant / defendant with cost and pass

IA NO: 1 OF 2008(ASMP 1962 OF 2008

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
suspend the operation of the Judgment and decree dated 4.2.2008 passed by
Principal District Judge at Nellore in O.S.No.23 of 2001

Counsel for the Appellant:

1.ELEVATED AS JUDGE

Counsel for the Respondent:

1.S V MUNI REDDY

2.

The Court made the following:

JUDGMENT:-*(per Hon'ble Sri Justice Ravi Nath Tilhari)*

On 16.04.2025, the following order was passed :

- “1. On 18.03.2025, the following order was passed:
“Issue notice to the appellant in view of the elevation
of the appellants counsel.
List after four weeks in the weekly list.”
2. Office to submit report with respect to the sending of
notice to the appellant as also its service.
3. Post the matter after two (02) weeks in the weekly cause
list.”

2. As per the office report, the notice sent to the sole appellant was
unserved as “factory closed.”

3. In view thereof, the Appeal Suit is dismissed for want of
prosecution.

No order as to costs.

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

RAVI NATH TILHARI, J

MAHESWARA RAO KUNCHEAM, J

Date : 28.01.2026.
RPD/PBS.

**THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND
THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**

(DISMISSED FOR NON- PROSECUTION)

APPEAL SUIT NO: 525 OF 2008

Date: 28.01.2026

RPD/PBS.