



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

[3572]

**THURSDAY, THE SEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

COMMERCIAL COURT APPEAL NO: 40/2023

Between:

1. MOVVA CHANDRA SEKHAR (DIED), S/O M. SRI RAMACHANDRA RAO, AHED ABOUT 57 YEARS, OCC.BUSINESS, R/O D NO. 9-19-4, CBM COMPOUND, VISAKHAPATNAM, A.P.
2. MOVVA SRI LATHA, WO LATE MOVVA CHANDRA SEKHAR RO D NO 9 19 4 CBM COMPOUND ANDHRA UNIVERSITY VISAKHAPATNAM URBAN ANDHRA PRADESH 530003
3. MOVVA JAHNAVI CHANDRA, DO LATE MOVVA CHANDRA SEKHAR AGED 21 YEARS PERMANENT ADDRESS D NO 6 1 408 KOVUR NAGAR ANANTHAPURAMU TOWN ANANTHAPURAMU DISTRICT PRESENTLY RESIDING AT APT 4125 BLDG 1801 500 S HARRISON EAST LANSING MI 48823 UNITED STATES OF AMERICA BEING REP BY HER GPA HOLDER MOVVA SRI LATHA WO LATE MOVVA CHANDRA SEKHAR RIO D NO 9 19 4 CBM COMPOUND ANDHRA UNIVERSITY VISAKHAPATNAM URBAN ANDHRA PRADESH 530003 APPELLANT NOS 2 AND 3 ARE BROUGHT ON RECORD AS LRS OF THE DECEASED 1ST APPELLANT AS PER COURT DATED 06 12 2024 VIDE I A NO

3 OF 2024 IN COMCA NO 40 OF 2023

...APPELLANT(S)

AND

- 1.M/S BLUE NILE DEVELOPERS PRIVATE LIMITED, A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956, HAVING ITS REGISTERED OFFICE AT PLOT NO.69, VITTAL RAO NAGAR, MADHAPUR, RANGAREDDI, HYDERABAD-500 081.
- 2.VASANT MAKINENI, S/O. JASWANT MOHAN MAKINNI, AGED ABOUT 46 YEARS, DIRECTOR, M/S. BLUE NILE DEVELOPERS PVT LIMITED, R/O. 78 MEENAKSHI BAMBOOS, SURVEY NO.39 PART, OPPOSITE RAMKY TOWERS, SERILINGAMPALLY, K.V.RANGAR, HYDERABAD-500 032.
- 3.CHUNDURU VENKATA SUBBA RAO, S/O SHRI CH. VENKATA RAO, AGED ABOUT 57 YEARS, DIRECTOR, DIRECTOR, M/S. BLUE NILE DEVELOPERS PVT LIMITED, R/O. VILLA NO.27, THE TRAILS, LANCO HILL ROAD, MANIKONDA, RAJENDRA NAGAR, PUPPALAGUDA, HYDERABAD-89.

...RESPONDENT(S):

Counsel for the Appellant(S):

- 1.VEMA RAMANJANEYULU
- 2.K SANDEEP

Counsel for the Respondent(S):

- 1.LAKSHMIKANTH REDDY DESAI

The Court made the following:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

COM.C.A.NO: 40/2023

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

On 14.02.2025, the following order was passed:

"I.A.No.1 of 2025

(Direction Petition)

*At the request made on behalf o the learned counsel
for the petitioners, list the matter on 07.03.2025."*

2. On 10.03.2025, the following order was passed:

"No representation for the appellants.

*2.Sri Shravanth Paruchuri, learned counsel for the
respondents, appears through virtual mode.*

3.The matter is adjourned."

3. On 02.04.2026, the following order was passed:

*" Request has been made for adjournment by the
learned counsel or appellant.*

*2. Sri Shravanth Paruchuri, learned counsel for the
respondents, appears through virtual mode.*

3. List the matter on 16.04.2026."

4. Considering all the aforesaid orders, on 16.04.2026, the following order was passed, on which date also, there was no representation for the appellants.

“ No representation for the appellants.

2. On 10.03.2025 also, there was no representation for the appellants and on 02.04.2026, there was a request for adjournment on behalf of the appellants.

3. Sri Shravanth Paruchuri, learned counsel representing Sri Lakshmikanth Reddy Desai, learned counsel for the respondents submits that the respondents have filed an application in I.A.No.1 of 2026, for direction to the learned Special Judge for Trial and Disposal of Commercial Disputes, Visakhapatnam, to return the original bank guarantee dated 30.12.2022 issued by the State Bank of India on behalf of the applicant, which is on the file of the learned Special Judge. He submits that under the impugned order, the respondents herein were directed to extend the said bank guarantee for a period of three months from the date of the order dated 27.12.2023 and that period has also come to an end.

4. As, today, learned counsel for the appellants is not present and since the application is coming for consideration, for the first time, we consider it appropriate to post the matter in the 1st week of May, 2026.

5. In the meantime, objections, if any, may be filed by the appellants.

6. On the next date, the Court may proceed to dispose of I.A.No.1 of 2026 or even the appeal may be dismissed for want of prosecution, if learned counsel for appellants is not present.

7. List on 07.05.2026.”

5. Today also, there is no representation for the appellants.

6. Sri Shravanth Paruchuri, learned counsel appears for the respondents.

7. The Appeal 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

BALAJI MEDAMALLI, J

Date: 07.05.2026.
Pab

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

COM.C.A.NO: 40/2023

Date: 07.05.2026

Pab