

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

**TUESDAY, THE SECOND DAY OF DECEMBER,  
TWO THOUSAND AND TWENTY FIVE**

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE V SRINIVAS**



**IA No. 2 OF 2022**

**IN**

**AS NO: 326 OF 2022**

**Between:**

1. Ballem Audiseshaiah, S/o Venkatesh, Aged about 60 years, Occ.- Agricultural Coolie, R/o Harijanawada, Mamidipudi Village, Muthukur Mandal, S.P.S.R. Nellore District.
2. Ballem Seenaiah, S/o Narasaiah, Aged about 50 years, Occ.- Agricultural Coolie, R/o Harijanawada, Mamidipudi Village, Muthukur Mandal, S.P.S.R. Nellore District

...Appellants/Defendants

(Petitioner in AS 326 OF 2022

on the file of High Court)

**AND**

1. Vinnakota Hyma, (Died),
2. Vinnakota Lakshmiprasad, S/o Subbarayudu, Aged about 54 years, Hindu, Occ:- Business, R/o D.No.17/1, Achari Street, Nellore City.

...Respondent/Plaintiff

(Respondents in-do-)

**Counsel for the Petitioner :Sri.HARINATH REDDY SOMA**

**Counsel for the Respondent:**

Petition under Order 41 Rule 5 R/w. 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 suspend the Decree and Judgment, Dt.30-03-

2021, in O.S. No. 388 of 2014 on the file of Principal District Judge, Nellore, Pending disposal of AS No. 326 of 2022, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

**ORDER:**

**This application is filed seeking to suspend the Judgment and Decree, dated 30.03.2021 in O.S.No.388 of 2014 on the file of the learned Principal District Judge, Nellore, pending disposal of the appeal.**

**Heard Sri T.D. Phani Kumar, learned counsel representing Sri Harinath Reddy Soma, learned counsel for the appellants/defendants.**

**Sri Sivaprasad Reddy Venati, learned counsel for the respondent No.2 filed counter affidavit. Perused the counter affidavit.**

**Considering the submissions made by the learned counsel for the appellants/defendants, there shall be an interim suspension of operation of the Judgment and Decree, dated 30.03.2021 passed in O.S.No.388 of 2014 on the file of the learned Principal District Judge, Nellore, subject to the condition that the appellants/defendants shall deposit suit costs, within a period of eight (8) weeks from today, failing which this order shall stand vacated automatically.**

**//TRUE COPY//**

**SD/- K.SRINIVASA RAJU  
ASSISTANT REGISTRAR**

**For /**

**SECTION OFFICER**

**To,**

1. The Principal District Judge, Nellore.
2. Vinnakota Lakshmiprasad, S/o Subbarayudu, R/o D.No.17/1, Achari Street, Nellore City.( By RPAD)
3. One CC to Sri. Harinath Reddy Soma Advocate [OPUC]
4. One spare copy

**HIGH COURT**

**SV,J**

**DATED:02/12/2025**

**LIST THE MATTER AFTER EIGHT (8) WEEKS**

**ORDER**

**I.A.No.2 of 2022**

**IN**

**AS.No.326 of 2022**

**INTERIM SUSPENSION**

