

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

THURSDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT



THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

APPEAL SUIT Nos. 40, 41, 42, 43 OF 2009

APPEAL SUIT No.40 of 2009

Appeal filed under Section 96 of C.P.C, aggrieved by the Judgment and Decree passed in O.S.No. 45/2003 dated 12-11-2008 on the file of II Additional Senior Civil Judge, Nellore.

Between:

Syndicate Bank, Regional Office, A.K.Nagar, Nellore. Rep by its Chief Manager, Sri Siva Prakash S.G.

...Appellant/Defendant

AND

1. Sadhu Narsimha Rao, S/o. Late Subbarayudu Chetty, Aged 63 years, R/o. 11/399, Santhapet, Nellore.
2. Sadhu Narayana Rao, S/o. Late Subbarayudu Chetty, Aged 55 years, H.No. 23/848-2, Rameshreddy Nagar, Ward No. 2, Nellore.
3. Sadhu Nageshwara Rao, S/o. Late Subbarayudu Chetty, Aged 45 years, R/o. Sudarshanamvari Street, Santhapet, Nellore.

...Respondents/Plaintiffs

I.A. NO: 1 OF 2009(ASMP. NO: 139 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 suspend the Judgment and Decree dated 12.11.2008 in O.S.No.45 of 2003 on the file of II Additional Senior Civil Judge, Nellore

APPEAL SUIT NO: 41 OF 2009

Appeal filed under Section 96 of C.P.C, aggrieved by the Judgment and Decree passed in O.S.No.296/2005 dated 12-11-2008 on the file of II Additional Senior Civil Judge, Nellore.

Between:

Syndicate Bank, Nellore Main Branch, Ground Floor, Nellore. Rep by its Constituted Attorney, Sri Siva Prakash S.G.

...Appellant/Defendant

AND

1. Sadhu Narsimha Rao, S/o. Late Subbarayudu Chetty, Aged 63 years, R/o. 11/399, Santhapet, Nellore.
2. Sadhu Narayana Rao, S/o. Late Subbarayudu Chetty, Aged 55 years, H.No. 23/848-2, Rameshreddy Nagar, Ward No. 2, Nellore.
3. Sadhu Nageshwara Rao, S/o. Late Subbarayudu Chetty, Aged 45 years, R/o. Sudarshanamvari Street, Santhapet, Nellore.

...RESPONDENTS

I.A. NO: 1 OF 2009(ASMP. NO: 140 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 suspend the Judgment and Decree dated 12.11.2008 in O.S.No.296 of 2005 on the file of II Additional Senior Civil Judge, Nellore

APPEAL SUIT NO: 42 OF 2009

Appeal filed under Section 96 of C.P.C, aggrieved by the Judgment and Decree passed in O.S.No.390/2003 dated 12-11-2008 on the file of II Additional Senior Civil Judge, Nellore.

Between:

Syndicate Bank, Currency Chest, Nellore. Rep by its Constituted Attorney,
Sri Siva Prakash S.G.

...Appellant/Defendant

AND

1. Sadhu Narsimha Rao, S/o. Late Subbarayudu Chetty, Aged 63 years,
R/o. 11/399, Santhapet, Nellore.
2. Sadhu Narayana Rao, S/o. Late Subbarayudu Chetty, Aged 55 years,
H.No. 23/848-2, Rameshreddy Nagar, Ward No. 2, Nellore.
3. Sadhu Nageshwara Rao, S/o. Late Subbarayudu Chetty, Aged 45
years, R/o. Sudarshanamvari Street, Santhapet, Nellore.

...Respondents/Plaintiffs

I.A. NO: 1 OF 2009(ASMP. NO: 141 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 order interim suspension of the decree and judgment in O.S.No. 390/2003 dated 12.11.2008 on the file of the Honourable II Additional Senior Civil Judge, Nellore, pending disposal of the appeal.

APPEAL SUIT NO: 43 OF 2009

Appeal filed under Section 96 of C.P.C, aggrieved by the Judgment and Decree passed in O.S.No.324/2003 dated 12-11-2008 on the file of II Additional Senior Civil Judge, Nellore.

Between:

Syndicate Bank, Nellore Main Branch, Nellore. Rep by its Constituted Attorney, Sri Siva Prakash S.G.

...Appellant/Defendant

AND

1. Sadhu Narsimha Rao, S/o. Late Subbarayudu Chetty, aged 63 years, R/o. 11/399, Santhapet, Nellore.
2. Sadhu Narayana Rao, S/o. Late Subbarayudu Chetty, aged 55 years, H.No. 23/848-2, Rameshreddy Nagar, Ward No. 2, Nellore.
3. Sadhu Nageshwara Rao, S/o. Late Subbarayudu Chetty, aged 45 years, R/o. Sudarshanamvari Street, Santhapet, Nellore.

...Respondents/Plaintiffs

I.A. NO: 1 OF 2009(ASMP. NO: 142 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 suspend the Judgment and Decree dated 12.11.2008 in O.S.No.324 of 2003 on the file of II Additional Senior Civil Judge, Nellore.

Counsel for the Appellant in all the above appeals: Sri. M V Ramana –no representation

Counsel for the Respondents in all the above appeals: Sri P Sridhar Reddy

The Court made the following: COMMON JUDGMENT

APHC010661032009



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

[3369]

THURSDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

APPEAL SUIT NO. 40 OF 2009

Between:

Syndicate Bank, Regional Office,

...APPELLANT

AND

Sadhu Narsimha Rao and Others

...RESPONDENT(S)

APPEAL SUIT NOS: 41, 42 and 43 OF 2009

Between:

Syndicate Bank,

...APPELLANT(S)

AND

Sadhu Narsimha Rao and Others

...RESPONDENT(S)

Counsel for the Appellant(s):

1.M V RAMANA

Counsel for the Respondent(S):

1.P SRIDHAR REDDY

The Court made the following COMMON JUDGMENT:

1. When the matters are taken up together for hearing in the morning session, no representation is made on behalf of the Appellants and the matter is passed over till 02.15 PM.

2. In the afternoon session also, none appeared for the Appellants. Despite listing these matters under the caption '*for dismissal*', no representation is made on behalf of the Appellants. It seems that the Appellants are not evincing any interest to proceed with the Appeals. As such, this Court has no other option, except to dispose of all the Appeal Suits, kept pending the cross objections filed by the Respondents/ Plaintiffs.
3. As a result, the Appeal Suits are dismissed for default. However, there shall be no order as to costs.
4. In view of the dismissal of the Appeals, the interim order granted earlier, if any shall stands vacated and miscellaneous petitions pending, if any, in these Appeals shall stand closed.

//TRUE COPY//

SD/- K TATA RAO
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The II Additional Senior Civil Judge, Nellore, SPSR Nellore District (with records if any)
2. One CC to Sri. M V Ramana Advocate [OPUC]
3. One CC to Sri. P Sridhar Reddy Advocate [OPUC]
4. The Section Officer, VR Section, High Court of Andhra Pradesh at Amaravathi
5. Three CD copies

Stu

vna

HIGH COURT

DATED: 11/07/2024

NOTE : After Dispatch of this
Order file may be sent to
Appeal Filing Section for
Further Hearing On Cross
Objections Petitions

COMMON JUDGMENT

AS.Nos.40,41,42,43 of 2009



**DISMISSING THE APPEAL SUIT'S FOR
DEFAULT**