



2018:TSHC:4052

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

I.A. Nos. 1 and of 2022
IN
APPEAL SUIT NO: 3395 OF 2004

Between:

1. B. Sathemma, W/o. Late B. Pentaiah, aged about 85 years,
2. B. Kistaiah, S/o. Late Pentaiah, aged about 48 years,
3. B. Shankaraiah, S/o. Late B. Pentaiah, aged about 45 years,
4. B. Shobha W/o. Late Yettaiah, aged about 39 years,
5. B. Ramesh, S/o. Yetaiah, aged about 30 years
6. Balamani, D/o. Yettaiah, aged about 27 ears,
7. Harish S/o. Yettaiah, aged about 20 years.

All are Residents of Abdullapr Village, Hayatnagar Mandal, Ranga Reddy District.

...PETITIONERS/APPELLANTS

AND

1. Bodusu Mallaiah, S/o. Yettaiah, Occ: Agriculture, R/o. Abdullapur (V) Hayathnagar (M) R.R. District.
2. Bodusu Yadaiah, S/o. Yettaiah, Occ: Agriculture R/o. Abdullapur (V) Hayathnagar (M) R.R. District
3. Sai Krishnad Real Estates, Flat No. 307, Vijayashir Apartments, Ameerpet, Hyderabad, Rep by its Managing Partner C. Vrahmayya, S/o. G. Rana murthy Flat No. 307 Ameerpet Hyderabad
4. Bodusu Lingam Yadav, S/o. Late Bodusu Mallaiah, Milk Vendor, R/o. Abdullapur Village, Hayatnagar Mandal, R.R. District

...RESPONDENTS

IA NO: 1 OF 2022

Petition under Section 5 of Limitation Act praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of 921 days in filing the application to set-aside the order dt. 31/01/2018 in ASMP No. 1377/2u16 in AS No. 3395/2004.



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IA NO: 2 OF 2022

Petition under Order 9 Rule 9 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Set-aside the order dt. 31/01/2018 in ASMP No. 1377/2016 in AS No. 3395/2004.

Counsel for the Appellants: Sri P. Venugopal Senior Counsel appearing for Sri Amancherla V. Gopala Roa.

The Court made the following: Order

These Applications are filed to condone the delay of 921 days in filing an application to set aside order dated 31.01.2018 in A.S.M.P. No. 1377 of 2016 in A.S. No. 3395 of 2004, and to set aside the same.

Sri P. Venugopal, learned Senior Counsel appearing for Sri Amancherla V. Gopala Roa, learned counsel for petitioners submits that this Court allowed I.A. No. 1 of 2023 which is filed to condone the delay in filing the application to set aside the abatement of appeal on 04.04.2024 subject to payment of Rs. 23,000/- to Legal Services Authority.

After hearing learned Senior Counsel and having regard to the reasons stated in the accompanying affidavit, these applications are also allowed subject to payment of Rs. 23,000/-(rupees twenty three thousand only) in each application to the Legal Services Authority by the next date of hearing.

**Sd/- MOHD. ISMAIL
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional District Judge, Ranga Reddy District.
2. The Section Officer, Appeal Filing Section, High Court for the State of Telangana, Hyderabad.
3. One CC to Sri Amancherla V. Gopala Roa, Advocate [OPUC]
4. Two CD Copies

DL

Note: Total Amount of Rs. 23, 000/- (Rupees twenty three thousand only) has been paid by Sri M/s. Amancharla V. Gopal Rao, Counsel for the Petitioners as directed by the Hon'ble Court vide order dated 06.06.2024 as to the Telangana High Court Legal Service Authority, Hyderabad and filed Memo as proof of compliance USR No. 59794 and Receipt No. 672 dated 06.06.2024.

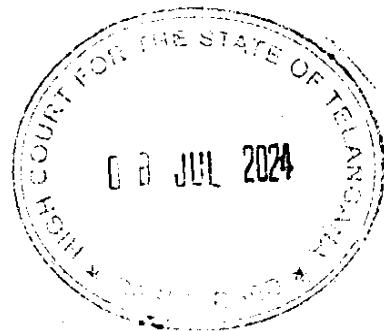


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HIGH COURT

DATED:06/06/2024

ORDER
I.A. Nos. 1 and 2 of 2004
IN
AS.No.3395 of 2004



DIRECTION

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~~1008/2024~~