

**HIGH COURT FOR THE STATE OF TELANGANA**

**MAIN CASE: A.S.No.3694 of 2003**

**PROCEEDING SHEET**

| <b>Sl. No</b> | <b>DATE</b> | <b>ORDER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>OFFICE NOTE</b> |
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|               | 21.04.2026  | <p><b><u>KL,J &amp; BRMR,J</u></b></p> <p style="text-align: center;"><b><u>I.A.No.1 of 2025</u></b></p> <p>Heard Sri P.Vinay Kumar, learned counsel appearing for the petitioners.</p> <p>There is no representation on behalf of the respondent Nos.1 to 3.</p> <p>Sri N.Sridhar Reddy, learned Standing Counsel appearing for respondent Nos.4 to 5.</p> <p>None appears for respondent No.6.</p> <p>This application is filed to condone the delay of 849 days in filing the application to restore the present appeal which was dismissed for default on 15.03.2023. It is a specific contention of the petitioners herein that their counsel was engaged in a part-heard First Appeal, instructed his junior to seek adjournment. There was miscommunication from his junior and their counsel. Non appearance of their counsel on 15.03.2025 is neither willful nor wanton.</p> <p>It is further contended that coming to know about the said dismissal of the present appeal, they have contacted their counsel for the purpose of filing the application seeking restoration of the said appeal.</p> <p>They have under <i>bona fide</i> impression that</p> |                    |

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|  |  | <p>there counsel will represent their case. Their counsel designated as Senior Counsel and practicing in Andhra Pradesh High Court, Amavarathi. Therefore, there is a delay of 849 days in preferring the application to restore of the appeal, which is dismissed for default on 15.03.2023.</p> <p>Respondent Nos.1 to 3 did not file any counter.</p> <p>Respondent Nos.4 and 5 filed counter opposing the present application contending that learned counsel for the petitioners failed to explain day to day delay in not filing the aforesaid application seeking restoration of the present appeal.</p> <p>However, considering the disputes between the petitioners and respondent Nos.1 to 3, the present application is allowed. Delay of 849 days in filing the restoration application is condoned.</p> <p style="text-align: center;"><b><u>I.A.No.2 of 2025</u></b></p> <p>This application is filed seeking to restoration of the appeal which was dismissed for default on 15.03.2023.</p> <p>Along with the present application, petitioners have also filed I.A.No.1 of 2025 to condone the delay of 849 days in filing the present application.</p> <p>Today, we have allowed the said application in condoning the delay of 849 days in filing the present application. Therefore, in view of the reasons assigned in the said order, this application is ordered. Appeal is restored to its original position by setting aside the order dated 15.03.2023.</p> |  |
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|  |  | <p style="text-align: center;"><b><u>A.S.No.3694 of 2003</u></b></p> <p>List on 11.06.2026 for hearing the appeal<br/>itself.</p> <p style="text-align: right;"><hr/><b>KL,J</b></p> <p style="text-align: right;"><hr/><b>BRMR,J</b></p> <p>Dua/PLV</p> |  |
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