

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE No: AS No.316 of 2024

PROCEEDING SHEET

SL. No.	DATE	ORDER	OFFICE NOTE
1.	20.06.2024	<u>Dr.GRR,J</u> <u>I.A.No.1 of 2024</u> This application is filed by the petitioner-appellant-defendant to suspend the operation of the judgment and decree dated 27.03.2024 passed in O.S. No.25 of 2018 by the learned Principal District Judge at Suryapet, pending disposal of the above appeal. Heard the learned counsel for the petitioner-appellant. Learned counsel for the petitioner submitted that the petitioner was the appellant herein and defendant in the suit. The suit was filed by the respondent-plaintiff for recovery of an amount of Rs.17,85,500/- basing on mortgage deed and two promissory notes. The said suit was preliminarily decreed for a sum of Rs.8,55,000/- with costs granting two months' time for redemption of mortgage from the date of the judgment and further granted the relief that the plaintiff was also entitled for a personal decree against the defendant for an amount of Rs.9,30,500/- for the amounts covered under the two promissory notes with interest at 6% per annum from the date of suit till realization on the principal amount The trial court failed to see that the petitioner-appellant had cleared the liability and failed to examine the oral and documentary evidence objectively. He further	Transferred to IO folder before corrections, if any.

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		contended that there were fair chances of success for the petitioner to succeed in the appeal and prayed to suspend the operation of the judgment and decree dated 27.03.2024 passed in O.S. No.25 of 2018. Considering the submissions of the learned counsel for the petitioner, there shall be interim suspension of the operation of judgment and decree dated 27.03.2024 passed in O.S. No.25 of 2018 by the learned Principal District Judge at Suryapet, subject to the petitioner depositing 50% of the decretal amount together with interest and costs within a period of four weeks from the date of receipt of a copy of this order. Issue notice to the respondent. Learned counsel for the petitioner is permitted to take out personal notice on the respondent by RPAD and file proof of service of notice. Post the matter on 15.07.2024. Dr. GRR,J KTL	

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