

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTIETH DAY OF JUNE,
TWO THOUSAND AND TWENTY TWO
: PRESENT:

THE HON'BLE DR JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SMT JUSTICE JUVVADI SRIDEVI ✓

IA.No. 2 of 2022
IN
CMA.No. 252 of 2022 ✓

Between:

Nemmadi Lalitha, W/o. Nemmadi Upender

Petitioner
(Appellant in CMA.No. 252/2022
on the file of the High Court)

AND

Nemmadi Upender, S/o Kanakaiah, Occ: Govt. Teacher, R/o Thadvai Village,
Munagala Mandal, Nalgonda District.

Respondent
(Respondent in do)

COUNSEL FOR PETITIONER: Sri G.Sundaresan

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to suspend operation of the order and decree passed in OP.No. 14 of 2021 dated 29-04-2022 on the file of II Additional District Judge, Nalgonda at Suryapet in so far as granting divorce is concerned, pending disposal of CMA.No. 252/2022 on the file of the High Court.

The Court while directing issue of notice to the Respondent herein to show cause why this petition 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 by the petitioner/wife seeking to suspend the order and decree, dated 29-04-2022, passed in Special Marriage OP.No. 14 of 2021 by the II Additional District Judge, Nalgonda at Suryapet, whereby the subject O.P. filed by the respondent/husband, seeking dissolution of marriage, was allowed.

Heard. Perused the record.

It is contended that without there being any evidence to hold that there is cruelty on the part of the petitioner/wife, decree of divorce was granted by the Court below.

Whether institution of proceedings under Domestic Violence Act amounts to cruelty needs a determination by this Court.

Under these circumstances, the operation of the impugned order dated 29-04-2022 passed in Special Marriage OP.No. 14 of 2021 by the II Additional District Judge, Nalgonda at Suryapet, is stayed till 18-07-2022.

..2..

Notice."

SD/- K.SHYLESHI
ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The II Additional District Judge, Nalgonda at Suryapet
2. Nemmadi Upender, S/o Kanakaiah, Occ: Govt. Teacher, R/o Thadvai Village, Munagala Mandal, Nalgonda District. (By RPAD)
3. One CC to Sri G.Sundaresan, Advocate(OPUC)
4. Two spare copies.

SAH

HIGH COURT

Dr.SAJ & JSJ

DATED: 20-06-2022

ORDER

IA.NO. 2 OF 2022
IN
CMA.NO. 252 OF 2022

STAY

