

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE TWENTY SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

I.A.No.3 of 2025 in C.R.P.No.3448 of 2023

Between:

Cherukuri Padma Rao, S/o. Late Ramakotaiah, Age: 62 years, Occ: Proprietor of Poornachand Traders, R/o. H.No.16-4-1122, Shivanagar, Warangal.

...Review Petitioner/Respondent

AND

Menthula Shashidhar, S/o. Satyanarayana, Age: 43 years, Occ: Business, R/o. Flat No. A1, Aparajitha Enclave, Balasamudram, Hanumakonda.

...Respondent/Petitioner

Petition under Section 114 r/w Order 47 Rule 1 & 2 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to review the order dated 09-06-2025 and further be pleased to modify it to the extent of setting aside the order in I.A.No.416 of 2023 in O.S.No.309 of 2022 on the file of Hon'ble Principal District Judge, Warangal, and thereby allowing the suit to be tried before the learned trial court.

Counsel for the Petitioner: Sri Rajashekar Rao

Counsel for the Respondent: Sri K. Venu Madhav

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

I.A.No.3 of 2025 in C.R.P.No.3448 of 2023

DATED: 26.03.2026

Between:

Cherukuri Padma Rao

...Petitioner

AND

Menthula Shashidhar

...Respondents

ORDER:

This application is filed to review the Order dated 09.06.2025 in C.R.P.No.3448 of 2023, passed by this Court.

2. Heard Sri Rajashekar Rao, learned Counsel for the petitioner and Sri K.Venu Madhav, learned Counsel for the respondent.

3. Brief facts of the case are that petitioner herein filed a suit *vide* O.S.No.309 of 2022, on the file of Principal District Judge, Warangal, for recovery of money, against the respondent; that respondent entered appearance and filed an application *vide* I.A.No.416 of 2023, for rejection of plaint under Order VII Rule 11 CPC, and the said application was dismissed by the trial Court *vide* Order dated 14.09.2022, on various grounds. Aggrieved by the same, respondent filed C.R.P.No.3448 of 2023, and the same was allowed by this Court

vide Order dated 09.06.2025. Aggrieved by the same, present review petition is filed by the petitioner.

4. Learned Counsel for the respondent submitted that respondent averred in I.A.No.416 of 2023, that the suit was barred by limitation, since the suit was filed basing on Ankadas/receipts dated 15.12.2019, and in fact, the suit was filed on 16.12.2022. However, the trial Court without properly appreciating the said aspect, dismissed the application. Aggrieved by the said Order, respondent filed revision *vide* C.R.P.No.3448 of 2023 and this Court *vide* Order dated 09.06.2025, allowed the revision, principally on the ground that the suit was filed basing on the Ankadas dated 15.12.2019; that limitation commenced from 16.12.2019 and expired on 15.12.2022, and the suit was filed on 16.12.2022, and thus, rightly came to conclusion that suit was barred by limitation and accordingly, allowed the revision petition.

5. Learned Counsel for the petitioner submitted that this Court has considered the date of filing of the suit as 16.12.2022, only by referring to the observation made by the trial Court in Para No.9 of the Order dated 14.09.2022, passed in I.A.No.416 of 2023, wherein, it was recorded that suit was filed on 16.12.2022. In fact, the suit was filed on 12.12.2022 *vide* S.R.No.1772 of 2022, and the same was returned on 13.12.2022, and subsequently, resubmitted, therefore, the observation of the trial Court is erroneous and this Court also

mislead by the observation of the trial Court and thus, came to erroneous conclusion that suit was barred by limitation and accordingly, allowed the revision petition.

6. In compliance of Order dated 04.09.2025, Registry has called for records from the trial Court and the original records pertaining to O.S.No.309 of 2022, is placed on record. Perusal of the original records clearly discloses that suit was filed on 12.12.2022, therefore, the suit is filed within the period of limitation, since the Ankadas/receipts are dated 15.12.2019.

7. Accordingly, review petition is allowed and the Order dated 09.06.2025 in C.R.P.No.3448 of 2023, passed by this Court, is recalled and the revision petition stands dismissed. There shall be no Order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/- M. NAGAMANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal District Judge, Warangal
2. One CC to Sri Rajashekar Rao, Advocate [OPUC]
3. One CC to Sri K. Venu Madhav, Advocate [OPUC]
4. Two CD Copies
KAM/BA



HIGH COURT

DATED: 26/03/2026

ORDER

I.A.No.3 of 2025

in

CRP.No.3448 of 2023



ALLOWING THE REVIEW PETITION

6MT
27/4/26