

ITEM NO.11

COURT NO.15

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petitions for Special Leave to Appeal (C)D. No.10268/2025

[Arising out of impugned final judgment and order dated 09-08-2024 in IA No. 2/2024 in AS No.417/2024 and 02-09-2024 in AS No. 417/2024 passed by the High Court for the State of Telangana at Hyderabad]

PALAYPU KISHAN PRASAD

PETITIONER(S)

VERSUS

GORLE REKHA RANI

RESPONDENT(S)

(FOR ADMISSION and I.R. and IA No. 91461/2025 - CONDONATION OF DELAY IN FILING and IA No. 91458/2025 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 17-04-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. T V Ratnam, Adv.
Mr. Akhil Ranganadhan, Adv.
Mr. Rajendra Prasad Mourya, Adv.
Mr. Venkata Raghuvamsy D., AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. The delay of 109 days in filing and 15 days in refiling the present petitions are condoned in the facts and circumstances of the cases. Accordingly, I.A. Nos. 91461/2025 and 91458/2025 are allowed.
2. Heard learned counsel for the petitioner.
3. The petitioner filed a suit for recovery of Rs.79,00,000/- (Rupees seventy-nine lakhs) under an

agreement to sale. Subsequently, at the appellate stage, the petitioner filed an application for the amendment of the plaint so as to claim the relief of specific performance of the agreement. The said application has been rejected by the Appellate Court both on the ground that the relief as claimed by amendment is time barred and that it changes the entire nature of the suit.

4. In the facts and circumstances of the present case(s), we are not convinced that any case for interference is made out in exercise of our discretionary jurisdiction under Article 136 of the Constitution of India.

5. The present petitions are, accordingly, dismissed.

6. Pending application(s), if any, shall stand disposed of.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)
COURT MASTER (NSH)