

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO



IA No. 1 OF 2023

IN

CMA NO: 269 OF 2023

Between:

Shaik.Abdul Khadar, S/o.Suleman, Aged 78 Years, Occ. Senior Citizen,
R/o.Chandolu Village, P.V.Palem Mandal, Guntur District, PIN. 522311

...Appellant/Respondent

AND

1. The Asst.Commissioner, Endowments Department, Guntur Opp.Gunta Ground, Kothapet, Guntur, Guntur District.
2. Sri Bandlamma(Bagalamukh) Ammavari Devasthanam, Chandolu Village, P.V.Palem Mandal, Guntur District, Rep.by its Executive Officer.

...Respondents/Petitioners

Counsel for the Petitioner :Sri S Satyanarayana Moorthy

Counsel for the Respondent No.2: Smt. P. Padmavathi, Advocate

— Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay the Operation of the Judgment, Decree and Order passed by the Honble A.P. Endowments Tribunal in O.A.No.7 of 2017, Dated 28-03-2023, pending disposal of CMA No. 269 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application 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). The Court made the following

ORDER:

“This Appeal is filed against the Decree and Order passed by the A.P. Endowments Tribunal in O.A.No.7 of 2017, dated 28.03.2023.

Sri S. Satyanarayana Moorthy, learned counsel for the petitioner submits that, the Tribunal, while allowing the O.A. with costs, directed the petitioner/respondent to vacate and handover the petitioner schedule property to the Temple within one month and shall also pay an amount @Rs.1000/- per month towards damages for use and occupation of the schedule property from the date of filing of the petition till eviction/delivery and also directed to pay an amount of Rs.2,152/- towards cost of the petition.

On hearing the submissions of learned counsel for the petitioner, this Court is inclined to grant stay of operation of the Decree and Order passed by the A.P. Endowments Tribunal in O.A.No.7 of 2017, dated 28.03.2023, subject to the petitioner depositing an amount @Rs.1000/- per month towards damages for use and occupation of the schedule property from the date of filing the petition till eviction/delivery of the property together with costs as per the Decree dated 28.03.2023 passed by the Endowments Tribunal in O.A.No.7 of 2017, within a period of four weeks from today; failing which, the interim order stands vacated automatically."

Sd/- G. HELA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The A.P. Endowments Tribunal at Paddakakani, Guntur District.
2. The Asst. Commissioner, Endowments Department, Guntur Opp.Gunta Ground, Kothapet, Guntur, Guntur District.
3. The Executive Officer, Sri Bandlamma(Bagalamukh) Ammavari Devasthanam, Chandolu Village, P.V.Palem Mandal, Guntur District. (2 & 3 by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to Sri. S Satyanarayana Moorthy, Advocate [OPUC]
5. One CC to Smt. P.Padmavathi, Advocate [OPUC]
6. One spare copy.

MSB

HIGH COURT

DR.KMR,J

DATED:20/07/2023

ORDER

IA NO.1 OF 2023
IN
CMA.No.269 of 2023

INTERIM DIRECTION

