

[3369]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY ,THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

IA No. 1 OF 2023

IN

AS NO: 239 OF 2023



Between:

Nemalikanti Prasanna Kumar, S/o (late) Subba Rao, Hindu, Aged about 33 years, R/o D.No.6-128, Penumaka Village, Tadepalli Mandal, Guntur District.

...Appellant(1st Defendant)

(Petitioner in AS 239 OF 2023
on the file of High Court)

AND

1. Turaka Priyanka, W/o Turaka Suresh Babu, Hindu, Aged about 26 years, R/o D.No.6-126, Penumaka Village, Tadepalli Mandal, Guntur District.

Respondent(Plaintiff)

2. Nemalikanti Bujji, W/o (late) Subba Rao, Hindu, Aged about 49 years, R/o D.No.6-128, Penumaka Village, Tadepalli Mandal, Guntur District.

...Respondent (2nd Defendant)

(Respondents in-do-)

Counsel for the Petitioner : SRI A SYAM SUNDAR REDDY

Counsel for the Respondents :---

Petition under Order XXXI Rule 5 & Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition,

the High Court may be pleased to STAY all further proceedings in O.S.No.177/2018 on the file of Senior Civil Judge, Mangalagiri, Pending disposal of AS No. 239 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).

ORDER

“This Interlocutory Application is field to stay of all further proceedings in O.S.No.177/2018 on the file of learned Senior Civil Judge, Mangalagiri.

Learned counsel for the appellant/1st defendant submits that the 2nd respondent remained ex-parte in the Suit proceedings.

None appeared on behalf of the 1st respondent/plaintiff though he engaged an Advocate.

Learned counsel for the appellant submits that already Final Decree petition is filed before the trial Court.

Considering the submissions made, this Court is inclined to grant stay of passing of final decree in pursuance of preliminary decree in O.S.No.177/2018 dated 23.01.2023 on the file of learned Senior Civil Judge, Mangalagiri. It is made clear that all further proceedings in the final decree shall go on except passing of final decree.

List the matter after three (3) weeks for filing counter, if any.”

Sd/- U. SRI DEVI
/ ASSISTANT REGISTRAR

//TRUE COPY//

For /

SECTION OFFICER

To,

1) The Civil Judge (Senior Division) , Mangalagiri

- 2) Turaka Priyanka, W/o Turaka Suresh Babu, Hindu, Aged about 26 years, R/o D.No.6-126, Penumaka Village, Tadepalli Mandal, Guntur District.
- 3) Nemalikanti Bujji, W/o (late) Subba Rao, Hindu, Aged about 49 years, R/o D.No.6-128, Penumaka Village, Tadepalli Mandal, Guntur District.(By RPAD)
- 4) One CC to SRI. A SYAM SUNDAR REDDY Advocate [OPUC]
- 5) One CC to SRI. KIRTHI TEJA KONDAVEETI Advocate [OPUC]
- 6) **One spare copy**



HIGH COURT

TMR,J

DATED:16/10/2024

LIST THE MATTER AFTER THREE (3) WEEKS FOR FILING COUNTER, IF
ANY

ORDER

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IN

AS NO: 239 OF 2023

STAY

