

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No: S.A.No.299 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01	03.07.2023	<u>Dr. KMR,J</u> <u>I.A.No.1 of 2023</u> There shall be an interim suspension of the impugned Decree and Judgment passed in A.S.No.20 of 2015, dated 04.11.2022, on the file of the Court of Family-Cum-VIII Additional District Judge, Prakasam at Ongole, till 07.08.2023. <u>Dr. KMR,J</u> <u>S.A.No.299 of 2023</u> Learned Counsel for the Appellant submitted that the respondents herein filed O.S.No.182 of 2009 on the file of Principal Junior Civil Judge, Ongole, and it was dismissed. Against that order, they filed Appeal Suit No.20 of 2015 before the Court of Family-Cum-VIII Additional District Judge, Prakasam at Ongole and it was allowed by setting aside the Decree and Judgment passed in O.S.No.182 of 2009, dated 04.11.2022. Challenging the said order, the Appellant filed the present Second Appeal. On hearing the submissions of learned Counsel for the Appellant, the following substantial questions of law arise for consideration: a) Whether mere admission made by the Defendant/Appellant	

		herein in affixing thumb impression on Ex-A1, is sufficient to prove the execution of Ex-A1? b) Whether the Appellate Court was correct in holding that the burden of disproving execution of Ex-A1 is on the Defendant/Appellant herein, as she admitted her signature? c) Whether the Appellate Court had rightly considered the question of discharging burden in proving execution by the Respondents herein or disproving execution by the Appellant herein? d) Whether the Appellate Court is correct in not considering the unexplained long delay by the Respondents herein in issuing the legal notice to the Appellant herein or in approaching the trial court? Notice before admission. Learned counsel for the Appellant is permitted to take out personal notice by RPAD on the respondents and file proof of service in the Registry. Post on 07.08.2023. Dr. KMR,J HS/RSD	
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