

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

Petition(s) for Special Leave to Appeal (C) No. 9273/2020

(Arising out of impugned interim order dated 18-02-2020 in IA No. 2/2017 in A.S. 226 of 2018 passed by the High Court of Andhra Pradesh at Amravati)

PIDAPARTHI NARAYANA REDDY S/O KOTI REDDY

Petitioner(s)

VERSUS

YARAMALA NARASIMHA REDDY

Respondent(s)

(FOR ADMISSION and I.R. and IA No.73107/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.73109/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No. 73109/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 73107/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(C) No. 10040/2020 (XII-A)

(With IA No. 81577/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 81576/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 9332/2020 (XII-A)

(With IA No. 73737/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 73735/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 9451/2020 (XII-A)

(With IA No. 75414/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 75411/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 16-10-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s)

Ms. Sindoor VNL, Adv.

Mr. Raavi Yogesh Venkata, AOR

For Respondent(s)

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

A suit for recovery was filed by the respondent which was decreed. The petitioner-defendant filed an appeal. The High Court by the impugned order stayed the judgment and decree of the trial Court on the condition that half of the decretal amount in the appeals giving rise to SLP (C) No. 9273/2020 and SLP(C) No. 10040/2020 and one-fourth of the decretal amount in the appeals leading to SLP(C) No. 9332/2020 and SLP(C) No. 9451/2020 shall be deposited by the petitioner within a period of eight weeks from the date of the order.

Ms. Sindoor VNL, learned counsel appearing for the petitioner, has relied upon the judgment in *Sihor Nagar Palika Bureau v. Bhabhlubhai Virabhai & Co.* (2005) 4 SCC 1 to submit that it is not mandatory that the appellate Court should direct deposit of the amount as a condition for granting stay in appeal. The High Court has discretion to direct deposit of part of decretal amount or to permit security.

We do not find any error in the discretion exercised by the High Court. The special leave petitions are dismissed.

Pending applications stand disposed of.

(NIDHI AHUJA)  
AR-cum-PS

(ANAND PRAKASH)  
BRANCH OFFICER