

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE FIRST DAY OF MARCH,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI



IA No. 1 OF 2023

IN

IA.No.1 OF 2022

IN

CRP NO: 819 OF 2022

Between:

P.Balachandra, S/o.Late.P.Venkatramaiah, Aged about 49 years, R/o. Buchinaidupalli Village, Chandragiri Mandal, Chittoor District.

...Petitioner

(Petitioner in CRP 819 OF 2022
on the file of High Court)

AND

Manikonda Kannaiah Naidu, S/o.Late Yallappa Naidu, Aged about 55 years, Buchinaidupalli Village, Chandragiri Mandal, Chittoor District.

...Respondent/Petitioner
(Respondents in-do-)

Petition under Section 151, CPC is filed praying that in the circumstances stated in the affidavit filed in support of the civil revision petition, the High Court may be pleased to permit the petitioner to receive a sum of Rs.1,31,091/- (Rupees one lakh, thirty one thousands and ninety one only), deposited by the Revision Petitioner EP.No.64 of 2017 in OS.No.446/2016 on the file of the court I Addl. Junior Civil Judge Tirupathi Chittoor without furnishing any security, pending disposal of CRP No.819 of 2022, on the file of the High Court.

IA.No.1 of 2022

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the civil revision petition, the High Court may be pleased to grant stay of all further proceedings of in E.P.No.64 of 2017 in O.S.No.446 of 2016 on the file of 1st Additional Junior Civil Judge, Tirupati, Chittoor District, pending disposal of CRP No.819 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 22.04.2022 made herein and upon hearing the arguments of Sri M.S.P.Kamaraju, Advocate for the Petitioner and Sri G.Sudheer, Advocate for the Petitioner, the Court made the following;

ORDER:

“This application is filed to permit the petitioner to receive a sum of Rs.1,31,091/- (Rupees one lakh, thirty one thousands and ninety one only),

deposited by the revision petitioner in connection with EP.No.64 of 2017 in O.S.No.446 of 2016 on the file of Court of I Additional Junior Civil Judge, Tirupati, Chittoor District.

No counter has been filed since March, 2023 till now.

The petitioner herein is the D.Hr and the respondent is the J.Dr. The petitioner herein filed E.P.No.64 of 2017 on the file of Court of I Additional Junior Civil Judge, Tirupati under Order XXI Rules 37 and 38 of C.P.C and the same was allowed on 29.03.2022. Aggrieved by the same, this revision petition was filed. Vide order dated 22.04.2022 passed by this Court in I.A.No.1 of 2022, the respondent/J.Dr herein, who is the petitioner in I.A.No.1 of 2022 deposited 1/3rd of the decretal amount including costs and interest as directed. Thus, Rs.1,31,091/-(Rupees one lakh, thirty one thousands and ninety one only) is said to have been deposited in pursuance of the said order and the petitioner/D.Hr now seeks permission to withdraw the same as no objection is filed.

Accordingly, the petition is allowed and the petitioner is permitted to withdraw the same amount without furnishing any security."

//TRUE COPY//

Sd/- M. PADMALATHA
ASSISTANT REGISTRAR

SECTION OFFICER
FO...ISTANT REGISTRAR

To,

1. The I Addl. Junior Civil Judge, Tirupathi, Chittoor District.
2. Manikonda Kannaiah Naidu, S/o.Late Yallappa Naidu, Buchinaidupalli Village, Chandragiri Mandal, Chittoor District. (By RPAD)
3. One CC to Sri. G.Sudheer, Advocate [OPUC]
4. One CC to Sri. M.S.P.Kamaraju, Advocate [OPUC]
5. One spare copy

MM

HIGH COURT

BSB,J

DATED:01/03/2024

NOTE: POST ON 05.03.2024 UNDER THE CAPTION FOR ORDERS

ORDER

**IA No. 1 OF 2023
IN
IA.No.1 OF 2022
IN
CRP NO: 819 OF 2022**

DIRECTION

