

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE NINTH DAY OF FEBRURY, TWO THOUSAND AND TWENTY THREE
: PRESENT:

THE HONOURABLE SRI JUSTICE A.V. SESA SAI
AND
THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA KRISHNA RAO



I.A.No. 1 of 2022
IN
C.M.A.No. 267 of 2022

Between:-

G.B. Prakash @ Prakash Babu, S/o. Late G. Maddilety, Christian, Male,
Aged about 56 years, R/o. H.No. 13/41, Near Z.P. High School,
Veldurty, Kurnool District.

Petitioner
(Appellant in CMA.No. 267/2022
on the file of the High Court)

AND

B. Shanta Kumari, W/o. G.B. Prakash Babu, Govt. Teacher,
R/o. H.No. 7/5, Near Srinivasa Talkies, Dhona, Kurnool District.

..Respondent
(Respondent in -do-)

COUNSEL FOR PETITIONER : Sri M. Murali Lincoln
COUNSEL FOR RESPONDENT :

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to grant stay of all further proceedings in the above divorce petition D.O.P.No. 55 of 2018 pending on the file of the Court of Principal District Judge, Kurnool, pending disposal of CMA.No. 267 of 2022 on the file of the High Court.

The Court while directing issue of notice to the Respondent herein to show cause as to why this petition 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:-

“A co-ordinate Bench of this Court on 01-09-2022 permitted the learned counsel for the appellant to take out personal notice to the respondent by registered post with acknowledgement due. In proof of service of notice on the respondent, postal track record is filed by the learned counsel for the appellant along with a memo. Despite, service of notice, once appears for the respondent.

Contd..2..

It is submitted by the learned counsel for the appellant that the order passed by the learned Principal District Judge is highly erroneous and contrary to law and the event of allowing the impugned order to sustain, the very divorce application filed by the appellant would be defeated. It is further submitted by the learned counsel for the appellant that the reasons assigned by the Court of the Principal District Judge are not sustainable.

Having regard to the above submissions, there shall be interim stay of all further proceedings in the DOP.No.55 of 2018 on the file of the Court of the Principal District Judge, Kurnool for a period of four (4) weeks.

Post after three (3) weeks."

Sd/- P. VINOD KUMAR
ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Principal District Judge, Kurnool.
2. B. Shanta Kumari, W/o. G.B. Prakash Babu, Govt. Teacher,
R/o. H.No. 7/5, Near Srinivasa Talkies, Dhone, Kurnool District. (BY RPAD)
3. One CC to Sri M. Murali Lincoln, Advocate (OPUC)
4. Two spare copies.

TKK

HIGH COURT

AVSS,J & VGKR,J

DATED: 09-02-2023

ORDER

**I.A.No. 1 of 2022
IN
C.M.A.No. 267 of 2022**

INTERIM STAY

