

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

FRIDAY, THE THIRTEENTH DAY OF SEPTEMBER

TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY



**CIVIL MISCELLANEOUS APPEAL NO: 1297 OF 2012**

Appeal under Order 43 Rule 1 of C.P.C, aggrieved by the order and decree in dated 26-10-2012 passed by the Principal District Judge, Eluru, West Godavari District in IA.No.1827 of 2012 in OP No. 672 of 2012.

**Between:**

Sri Abdul Azmir Baba, S/o. Abdul Gani Saheb, aged 41 years, Muslim, Male, Tractor Mechanic & Member of the Eluru Automobile Mechanics Association, D.No.24C-11-23, Near Krishna Temple, R.R. Peta, Eluru, West Godavari District

**...APPELLANT/PETITIONER No.1**

**AND**

1. The Eluru Town Automobile Mechanics Association, (Regd.No.83/82), Malkapuram, Opp Ashram Hospital, Eluru, West Godavari Dist. Rep. by its Secretary.
2. Sri Maganti Nagabhusanam, S/o. Soma Surya Venkateswara Rao, aged 60 years, Hindu, Male, Occ:Business, Former President, the Eluru Automobile Mechanics Association, R1o.D.No.19-10-5, Gun Bazaar, A.S.R. Stadium, Eluru, West Godavari District.
3. Sri Yarra Ramakrishna, S/o. Pydiah, aged 55 years, Car Mechanic & Former Secretary of the Eluru Automobile Mechanics Association,

Kanaka Durga Trinadh Auto Works, C/o. Raghavendra Motors, Ambica Darbar Bathi Street, Powerpeta, Eluru, West Godavari District.

4. Sri Palla Appa Rao, S/o. Appalaswamy, aged 58 years, Male, Hindu, Mechanic & Former Vice President of Eluru Automobile Mechanics Association, C/o. Venkata Ramana Mechanic Works, Goods Shed Road, Eluru-5, West Godavari Dist.
5. Sri Kuppli Appa Rao, S/o. Satyam, aged 52 years, Hindu, Male Former Joint Secretary of the Eluru Automobile Mechanics Association, Sri Venkata Rajyalakshmi Industries, badetivari Street, Powerpet, Eluru-2, West Godavari District.
6. Sri Setti Vernkateswara Rao, S/o. Veeraswamy, aged 60 years, Hindu, Male, Former Treasurer, Eluru Automobile Mechanics Association, C/o. Raja Rajeswari Indian Oil Corporation, Ashram Hospital Road, Eluru-5, West Godavari District.
7. Sri Bethapudi Kiran Kumar, S/o. Prasada Rao, aged 35 years, Hindu, male Tyre Works, Former Committee Member of the Eluru Automobile Mechanics Association, C/o. Anand Vulcanizing Works, Near Hero Honda Show Room, ASR Stadium Road, Eluru, West Godavari District.
8. Sri Mohammad Karimuddin @ Ameer, S/o. Saleha, aged 60 years, Muslim, Male, Lorry Mechanic, Former Committee of the Eluru Automobile Mechanics Association, Idris Complex, Near CSI Alemxander School, Gun Bazaar, Eluru, West Godavari District.
9. Sri Karri Nageswara Rao, S/o. Somulu, aged 57 yeas, Hindu, Male, Blacksmith & former Committee Member of the Eluru Automobile Mechanics Association, Flat No.305, Sri Krishna Residency, Near KPDT High School, Ashok Nagar, Eluru, West Godavari District.
10. Sri Bandi Jagadeswara Rao,, S/o. Ramaiah, aged 50 years, Hindu, Male, Tractor Mechanic & Former Committee Member of the Eluru Automobile Mechanics Association, Near Ramesh Rice Mill, Jalipudi, Eluru, West Godavari District.



11. Sri Kandipalli Nooka Raju, S/o. Gangaraju, aged 56 years, Hindu, Male, Tractor Mechanic & Former Committee Member of the Eluru Automobile Mechanics Association, Dokalavari Street, Kothapeta, Gurajada Chowk, Eluru, West Godavari District.
12. Sri Sunkara Babji, S/o. Appa Rao, aged 50 years, Hindu, Male, Mechanic & Former Committee Member of the Eluru Automobile Mechanics Association, Sri Markandeya Tinkering Works, D.No.22/B/9/8, Powerpeta, Eluru, West Godavari District.
13. Sri Gulla Govinda Rao,, S/o. Suryanarayana, aged 70 years, Hindu, Male, Former Mechanic & Committee Member of the Eluru Automobile Mechanics Association. D.No.22/C/11/28, Chundurivari Satram, Near Y.K.Restaurant, Powerpet, West Godavari District.
14. Sri Palivela China Baji, S/o.Venkanna, aged 52 years, Hindu, Male, Mechanic & Former Committee Member of the Eluru Automobile Mechanics Association, Ambica Street, Near Potti Maistry Tinkering Shed, Powerpet, West Godavari District.
15. The Andhra Pradesh Industrial Infrastructure Corporation Ltd, Assistant Zonal Manager, Industrial Park, Satrampadu, Eluru, West Godavari District.
16. The Branch Manager, Andhra Bank, Main Branch, Eluru, West Godavari District.
17. The Coastal Local Area Bank Ltd. M.R.C. Residency, R.R.Peta, Eluru, West Godavari District, rep by its Branch Manager. (Respondents)
18. Sri Bonumaddi Rajababu, S/o. Veera Brahmachari, aged 58 years, Hindu, Male, Mechanic & Member of Eluru Automobile Mechanics Association, D.No.27-D2-28, Near Vinayaka Temple, Canal Road, R.K.Puram, Eluru, West Godavari District. (petitioner No.2)

**...RESPONDENTS/RESPONDENTS**

**Note: R1, R5 to 18 are not necessary parties.**

**Counsel for the Appellant: SRI SRINIVASULU KURRA**

**Counsel for the Respondents No.1,3,7: SMT K. SESHARAJYAM**

**Counsel for the Respondents No.2,4: None Appeared**

**The Court made the following:**



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)**

**[3460]**

**FRIDAY, THE THIRTEENTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

**CIVIL MISCELLANEOUS APPEAL NO: 1297/2012**

**Between:**

**Sri Abdul Azmir Baba**

**...APPELLANT**

**AND**

**The Eluru Town Automobile Mechanics Association ...RESPONDENT(S)  
and 17 Others**

**Counsel for the Appellant:**

**1. SRINIVASULU KURRA**

**Counsel for the Respondent(S):**

**1. K SESHARAJYAM**

**The Court made the following:**

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

CIVIL MISCELLANEOUS APPEAL No.1297 of 2012

JUDGMENT:

1. The present Appeal is filed against the interlocutory order dated 26.10.2012 in I.A.No.1872 of 2012 in O.P.No.672 of 2012 passed by the Principal District Judge, Eluru, West Godavari District.
2. In view of the docket order dated 11.09.2014 of the trial Court, whereunder, the O.P was dismissed as withdrawn pursuant to a Memo filed by the petitioners therein not pressing the O.P.
3. In view of the dismissal of O.P, no orders are required to be passed in this Appeal.
4. The Civil Miscellaneous Appeal is dismissed, as infructuous.

No order as to costs. As a sequel, pending applications, if any, shall stand closed.

SD/- K. TATA RAO  
DEPUTY REGISTRAR

//TRUE COPY//

*NB*

SECTION OFFICER

To,

1. The Principal District Judge, Eluru, West Godavari District(with Records)
  2. One CC to SRI. SRINIVASULU KURRA, Advocate [OPUC]
  3. One CC to SMT. K. SESHARAJYAM, Advocate [OPUC]
  4. The Section Officer, V.R.Section, High Court of Andhra Pradesh at Amaravati
  5. Three C.D.Copies
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**HIGH COURT**

**DATED:13/09/2024**

**JUDGMENT**

**CMA.No.1297 of 2012**



**DISMISSING THE CMA AS INFRUCTUOUS**