

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, AT VIZIANAGARAM

Present: Sri **Alapati Giridhar**,
Principal District Judge, Vizianagaram
Thursday, the 04th day of October, 2018

Civil Miscellaneous Appeal 01/2018

Between:

M/s. Barclay Land & Investment Private Limited being
represented by its Directors viz.,

1. Srinivas Karri, S/o Pardasaradhi, Hindu, aged 41 years,
C/o. I . Srivalli, D.No.49-5-4, Lalithanagar, Near Sangam
Office Office Bus Stop, Akkayyapalem, Visakhapatnam-16.
2. I. Srivalli Devi, D/o (Late) Rokkam Ramnadham, Hindu,
Aged 42 years, D.No.49-5-4, Lalithanagar, Near Sangam
Office Bus Stop, Akkayyapalem, Visakhapatnam – 16. ...

Appellant

A n d:

1. Varadhi Thavitayya, S/o Peda laxmayya, Hindu, aged about
40 years, Resident of Thammayyapalem Village, Pathivada Gram
Panchayat, Pusapatirega Mandal, Vizianagaram District
2. Ganagala Lingayya, Father's name not known, Hindu, Aged 45
years, Resident of Thammayyapalem Village, Pathivada Gram
Panchayat, Pusapatirega Mandal, Vizianagaram District
(*Suit is dismissed for default against the 2nd Defendant
since he left the village.*)
3. Varadha Lakshmana, S/o Kommadu, Hindu, aged about 50
years, Resident of Thammayyapalem Village, Pathivada Gram
Panchayat, Pusapatirega Mandal, Vizianagaram District
4. Ganagala Appalaraju, S/o Appanna, Hindu, aged about
40 years, Resident of Thammayyapalem Village, Pathivada Gram
Panchayat, Pusapatirega Mandal, Vizianagaram District ...

Respondents

The Civil Miscellaneous Appeal is filed by the Appellant praying to set aside the Decretal Order dt.13.11.2017 made in I.A.567/2017 in O.S.No.77/2017 with regard to Item No.3 in S.No.112 on the file of Principal Junior Civil Judge, Vizianagaram and to allow the Appeal with costs.

The suit coming on this day for hearing before me in the presence of Sri K.Adinarayana, Sri P.Sasank and Sri B.V.Ramana, Advocates for the Appellant and of Sri K.Niranjanarao, Advocate for the 1st, 3rd and 4th Respondents and being Suit is dismissed for default against the 2nd Defendant since he left the village and having stood over for consideration to this date, this Court made the following:

J U D G M E N T

The Petitioners absent, no representation. The Court perused the docket on 28.08.2018 also the Petitioners called absent, no representation, however the Court posted to 17.09.2018 on costs of Rs.100/- payable to DLSA, but on 17.09.2018 costs not paid, Petitioners called absent, no representation, however as to give final opportunity, posted to this date on conditional order on further costs of Rs.200/- payable to DLSA. On this day also the Petitioners called absent, no representation, thus the record reveals that the Petitioners are not prosecuting the case, thus the Appeal is dismissed for default.

Pronounced by me in open Court, this the 04th day of October, 2018

Sd/- Alapati Giridhar
Principal District Judge,
Vizianagaram

