APHC010506402026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3330]**
(Special Original Jurisdiction)

TUESDAY, THE 6th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION NO: 2705/2026

Between:

1. BANDARU ASWARTHA NARAYANA CHOWDARY ALIAS BAN CHODARY, S/O. LATE B. RAMANAPPA, AGED ABOUT 56 YEARS, OCC PRIVATE CIVIL ENGINEER, R/O. FLAT NO. 411,MANJEERA MAJESTIC HOMES, KPHB COLONY, OPP JNTU, HYDERABAD, TELANGANA STATE.

...PETITIONER

AND

1. MADDIPATIA PEDDA SUBBAMMA ALIAS SUBBAMMA, W/O. LATE M. SUBBA NAIDU, AGED ABOUT 83 YEARS,R/O. D. NO. 6/971, NOONEVARIPALLE, RAJAMPET TOWN,RAJAMPET POST MANDAL, KADAPA DISTRICT.

...RESPONDENT

Petition under Article 227 of the Constitution of India,praying that in the circumstances stated in the grounds filed herein,the High Court may be pleased to the above named Petitioner begs to present this Memorandum of Civil Revision Petition before this Honble court against the Order passed in lA No.584 of 2026 in O.S. No. 4 of 2022 on the file of the court of the III Addl.District Judge, Rajampet, Kadapa District.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay of all further proceedings in OS No. 4/2022 on the file of the court of III Addl. District Judge, Rajampet, Kadapa District

Counsel for the Petitioner:

1. S S BHATT

Counsel for the Respondent:

1. PAPPANA NITHIN PRAMOD KUMAR

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION No.2705 OF 2026

ORDER:

The Civil Revision Petition is filed by the petitioner/plaintiff challenging the order passed in I.A.No.584 of 2026 in O.S.No.4 of 2022 on the file of the learned III Additional District Judge, Rajampet, Kadapa District.

2. The petitioner/plaintiff filed O.S.No.4 of 2022 on the file of the learned III Additional District Judge, Rajampet, Kadapa District, for recovery of a sum of amount of Rs.60,66,000/- basing on the promissory note. The petitioner/plaintiff filed I.A.No.584 of 2026 seeking to appoint an Advocate Commissioner to record the cross-examination of P.W.1 and the evidence of P.W.2, as P.W.2 was suffering from ill-health. The said application was dismissed by the learned trial Court on 09.09.2026, observing that the medical certificate was issued by Dr.Jayini P.Ram Mohen it is allegedly certified that P.W.2 required bed rest and physiotherapy for a period of 15 days. No surgeries are noticed against P.W.2. Accordingly, the application was dismissed. Aggrieved by the said order, the present Civil Revision Petition has been filed before this Court under Article 227 of the Constitution of India.

3. The learned counsel for the respondent/defendant would submit that the medical certificate that relied upon by the petitioner cannot be relied upon and drawn the attention of this Court to the order of the trial court and stated the Court has rightly observed no particulars whatsoever, such as name, diagnosis, date and reference number etc., was not stated in the medical

certificate. This certificate issued by a private hospital bears only a signature of the doctor. It is stated that the petitioner was suffering from heel pain which is known as Plantar fasciitis which limits the individual's ability to walk for extended periods. The respondent counsel contends that this situation amounts to forgery and further stated the doctor has advised for bed rest for fifteen days and the trial Court may be directed to adjourn for a reasonable time, and the plaintiff may be directed to examine all the witnesses on the same day, given the substantial amount of money was involved in the suit.

4. Acceding to the request to made by the counsel for the respondent and this request of the respondent counsel was opposed significantly, under the given circumstance the Court is has decided that the civil revision petition can be disposed, directing the trial Court to adjourn the matter for a period of two months from the date of the order. On that day, the plaintiff is directed to attend before the trial for giving evidence alongside with other witness and the trial Court is further directed to make it best effort to examine all the witnesses on the same day or a day-to-day basis. With the above said observation, the Civil Revision Petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 06.10.2026

Note: Issue CC by 09.10.2026
B/o.
SR

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION No.2705 of 2026

Date: 06.10.2026

SR