

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI  
TUESDAY, THE TWENTY NINTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE T MALLIKARJUNA RAO  
SECOND APPEAL NO: 1318 OF 2006



Appeal under section 100 of C.P.C aggrieved by the Decree and Judgment dated 01-09-2006 passed in A.S.No. 62 of 2005 on the file of the Principal District Judge, Cuddapah reversing the Judgment and Decree passed in O.S.No. 286 of 2001 dated 08-02-2005 on the file of the III Additional Junior Civil Judge, Cuddapah.

**Between:**

Shaik Mahaboob Basha, S/o.Alla Bakash, aged 54 years, Muslim  
Registered Contractor R/o. at D.No.22/35 Trunk Road, Rayachoti Town,  
Cuddapah District.

...Appellant/(Respondent/Plaintiff)

**AND**

1. The District Collector, Cuddapah, S/o Peda Veeraiah, R/o Jaladi  
Village, Edlapadu Mandal, Guntur District.

**Respondents**

2. The Executive Engineer, Roads & Buildings, Cuddapah.

...Appellants(Defendants)

**Counsel for the Appellant:SRI D RAGHAVA REDDY- No Representation**

**Counsel for the Respondents: ---**

**The Court made the following:**

APHC010116132006



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

[3369]

TUESDAY, THE TWENTY NINTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

SECOND APPEAL NO: 1318/2006

Between:

Shaik Mahaboob Basha

...APPELLANT

AND

The District Collector Cuddapah and Others

...RESPONDENT(S)

Counsel for the Appellant:

1.D RAGHAVA REDDY

Counsel for the Respondent(S):

1.

The Court made the following JUDGMENT:

1. This Second Appeal has been filed by the Appellant/Respondent/Plaintiff against the Decree and Judgment dated 01.09.2006, in A.S.No.62 of 2005 on the file of Principal District Judge, Kadapa, (for short, 'the 1<sup>st</sup> Appellate Court') reversing the decree and Judgment dated 08.02.2005, in O.S.No.286 of 2001 on the file of III Additional Junior Civil Judge, Kadapa (for short, 'the trial Court').

2. In the trial Court, Appellant/Respondent is the Plaintiff, who filed the suit in O.S.No.286 of 2001, for recovery of Rs.84,400/-with future interest from the date of filing the suit till its realization. Respondents/Appellants are the Defendants in the said suit.

3. In the morning session, when the matter was called for hearing, neither the Appellant nor the Respondents were represented. As a result of their absence, the matter was subsequently passed over until 2:15 PM.

4. In the afternoon session as well, there was no appearance on behalf of the Appellant. Despite the matter being specifically listed under the caption 'for dismissal', no representation was forthcoming on behalf of the Appellant. This consistent absence strongly indicates a lack of intent or interest on his part to further proceed with the Appeal.

5. Consequently, due to the persistent absence of the Appellant and his failure to appear, the Second Appeal is hereby **dismissed for default**. However, there shall be no order as to costs.

6. Miscellaneous petitions pending, if any, in this Appeal, shall stand closed.

SD/- M. RAMESH BABU  
DEPUTY REGISTRAR

//TRUE COPY//

*AB*

SECTION OFFICER

To,

1. The Principal District Judge, Cuddapah, YSR Kadapa District (with records if any)
2. The III Additional Junior Civil Judge, Cuddapah, YSR Kadapa District.
3. One CC to SRI. D. RAGHAVA REDDY, Advocate [OPUC]
4. The Section Officer, VR Section, High Court of Andhra Pradesh at Amaravati
5. Three C.D.Copies

nm



**HIGH COURT**

**DATED:29/10/2024**

**NM**

**JUDGMENT:-**

**SA.No.1318 of 2006**



**DISMISING THE SECOND APPEAL FOR  
DEFAULT**