

IN THE COURT OF THE HON'BLE DISTRICT JUDGE: ANANTAPUR

I.A. /2013 IN I.A. 156/2006 IN A.S. NIL/2006

Between

1. K.Srinivasulu Setty & Others

.....Petitioners

AND

1. Kovur Sudhakar & Others

.....Respondents

AFFIDAVIT FILED ON BEHALF OF THE PETITIONER

I, K.V.Ramana, S/o. Late. K.V.Ratnam, aged 65 Years, Pensioner, R/o. 13/2/175, R.C. Nagar, Anantapur do hereby solemnly affirm and state as follows:

1. I am the petitioner herein and the 2nd petitioner in I.A. 156/2006 as such I am acquainted with the facts of the case and I am the in charge of the litigation on behalf of the other petitioners.
2. I submit that myself and other petitioners filed this I.A. against the respondents U/Sec. 5 of the Limitation Act to condone the delay of 586 days in filing the appeal against the judgment in O.P. 76/1998 dated 13/07/2004 on the file of the Hon'ble Prl. Senior Civil Judge, Anantapur.
3. The aforesaid OP has arisen out of reference U/Sec. 30 of Land Acquisition Act. I submit that due notices are receiving the notice Respondent 7 to R10 have not appeared before the Hon'ble Court and the court is pleased to set them exparte.
4. I submit that this Hon'ble Court dismissed I.A. No. 156/2006 on 04/07/2012. I submit that the 7th respondent K.Venkata Narayana died on .
5. I submit that in the interests of Respondent 7 K. Venkata Narayana is effectively represented by Respondent 1 to Respondent 3.
6. I submit that on the death of the Respondent 7 K.Venkata Narayana the right to sue and the right to be sued survived on his legal representatives
7. I submit that when the I.A. 156/2006 was reserved for the orders the 7th respondent K.Venkata Narayana died, under these circumstances there was absolutely no possibility for me and the other petitioners to meet my advocate and to inform him about the death of Respondent 7 K. Venkata Narayana or to obtain necessary instructions for proceeding further as the appeal is not abated.