

HON'BLE SRI JUSTICE S. RAVI KUMAR

SECOND APPEAL No.965 of 2012

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JUDGMENT:

This appeal is preferred challenging judgment and decree dated 22.03.2012 in A.S.No.212 of 2011 on the file of IX Additional Chief Judge, City Civil Courts, Hyderabad, whereunder, judgment and decree in O.S.No.2461 of 2006 dated 21.10.2010 on the file of XIX Junior Civil Judge, City Civil Courts, Hyderabad, is confirmed.

2. Appellant herein is unsuccessful defendant in both the Courts. O.S.No.2461 of 2006 is filed for the relief of permanent injunction restraining appellant herein from interfering with peaceful possession and enjoyment of the suit schedule property, which is a house property bearing Municipal No.2-2-3/4/A situated at Shivam Road, Hyderabad admeasuring 611.25 square yards of site. Both the Courts concurrently held that plaintiff i.e., respondent herein has been in possession and enjoyment of the suit property and that defendant failed to establish that possession was forcibly taken by plaintiff under the guise of interim injunction granted in his favour. Both trial Court and appellate Court concurrently held that plaintiff is in possession of the property and the substantial question of law that are pleaded in the grounds are only in respect of factual aspects and no question of law leave alone substantial question of law is involved in this appeal. Further all the grounds urged herein were raised before the first appellate Court, which are considered with reference to material on record.

3. For these reasons, I am of the view that there is no question of law involved in this Second Appeal, leave alone, substantial question of law to be determined by this Court.

4. Therefore, the Second Appeal is dismissed at admission stage. No costs. Miscellaneous Petitions, if any pending, in this appeal, shall stand closed.

S. RAVI KUMAR, J

Date: 26-11-2015.

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