

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER CIVIL MISCELLANEOUS PETITION Nos.666 and 667 of 2013

COMMON ORDER:

Transfer CMP No.666 of 2013 is filed under Section 24 CPC to withdraw A.S. No.260 of 2010 from the file of XIII Additional Chief Judge, City Civil Courts, Hyderabad and transfer the same to this court for disposal along with C.C.C.A. No.101 of 2010.

2. Transfer CMP No.667 of 2013 is filed under Section 24 CPC to withdraw A.S. No.265 of 2010 from the file of XIV Additional Chief Judge, City Civil Courts, Hyderabad and transfer the same to this court for disposal along with C.C.C.A. No.101 of 2010.

3. Heard the learned counsel for both the parties.

4. The parties to both the petitions are one and the same. The petitioner herein filed O.S. No.2018 of 2007 on the file of Additional Judge, City Small Causes Court-cum-VI Senior Civil Judge, City Civil Courts, Hyderabad, against the respondent for specific performance of agreement of sale dated 15.11.1996. The respondent filed O.S. No.1371 of 2007 on the file of the same court for eviction of the petitioner from the suit schedule property. The trial court clubbed both the suits and passed common judgment dated 28.6.2010 while dismissing O.S. No.2017 of 2007 and allowing O.S. No.1371 of 2007 in part. Feeling aggrieved by the judgment and decree dated 28.6.2010 in O.S. No.2018 of 2007, the petitioner filed C.C.C.A. No.101 of 2010 on the file of this Court. Challenging the judgment and decree dated 28.6.2010 in O.S. No.1371 of 2007 the respondent filed A.S. No.260 of 2010 on the file of XIII Additional Chief Judge, City Civil Courts, Hyderabad, whereas the petitioner filed A.S. No.265 of 2010 on the file of XIV Additional Chief Judge, City Civil Courts, Hyderabad.

5. At the time of arguments, learned counsel for both the parties, in one voice, submitted that the subject matter involved in all the three

appeals is one and the same. They further submitted that in the interest of both the parties, A.S. No.260 of 2010 and A.S. No.265 of 2010 may be transferred to this court for disposal along with C.C.C.A. No.101 of 2010.

6. Having regard to the submission made by the learned counsel for both the parties and also to avoid conflicting judgments, I am of the considered view that the relief, as sought for, can be granted.

7. In the result, the Transfer CMPs are allowed. A.S. No.260 of 2010 and A.S. No.265 of 2010 are withdrawn from the files of XIII Additional Chief Judge and XIV Additional Chief Judge respectively of City Civil Courts, Hyderabad and transferred the same to this court for disposal along with C.C.C.A. No.101 of 2010. As a sequel, miscellaneous petitions, if any, pending in these transfer petitions shall stand closed.

T.SUNIL CHOWDARY, J

Date: 30.7.2015.

YS