

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

TR.CMP.No.67 OF 2014

ORDER

This transfer petition is filed seeking to withdraw A.S.No.294 of 2012 on the file of III Additional Chief Judge, City Civil Court, Hyderabad and transfer the same to the Court of XI Additional Chief Judge, City Civil Court by clubbing with A.S.No.90/2008.

The case of the petitioner is that both the appeals arise out of the suits filed by the petitioner as well as respondents and the parties and the subject matter of the property in both the appeals are common, as such, in the interest of justice and to avoid conflict of decisions, both the appeals should be tried together.

Though notice is issued to the respondent, there is no appearance on behalf of the respondent and no counter is filed.

Heard the learned counsel for the petitioner.

In this case, it is to be seen that O.S.No.633/2004 filed by the respondent and O.S.No.2526/2004 filed by the petitioner arise out of the same property. Since it is stated that the issues involved in the appeals belong to the same subject property and the facts, evidence and documents relied on by both the parties are common, both the appeals should be tried together to void conflict of decisions.

In view of the above facts and circumstances, this transfer petition is allowed. No costs.

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

A.RAJASHEKER REDDY,J

Date: 12.11.2015

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