

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

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CIVIL REVISION PETITION No. 4787 of 2014

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P.C.:

This C.R.P. is against the order, dated 29.10.2014, passed on I.A.No.410 of 2014 in O.S.No.1125 of 2014. By the interim application under Order 1 Rule 10 read with Section 151 of the Code of Civil Procedure, the petitioners prayed for adding them as party defendants in the suit filed by respondent Nos.1 to 3 for injunction simplicitor against respondent No.4. According to the petitioners, the action, which is a subject matter of the suit, was initiated by the Municipal Corporation at their instance.

Learned counsel for the petitioners submits that the petitioners have also filed a suit bearing O.S.No.973 of 2014 against respondent Nos.1 to 3 in respect of the very same property. He submits that if O.S.Nos.1125 and 973 of 2014 are clubbed and heard together, he has instructions, not to press the C.R.P.

Learned counsel for respondent Nos.1 to 3 has no objection for clubbing both the suits and hearing them together. O.S.No.1125 of 2014 is pending before the VI Junior Civil Judge, City Civil Court, Hyderabad, while O.S.No.973 of 2014 is pending before the IV Junior Civil Judge, City Civil Court, Hyderabad.

In this view of the matter, I am satisfied that the following order shall meet the ends of justice:

“Petitioners are allowed to make a formal application before the Chief Judge, City Civil Court, Hyderabad for clubbing and hearing of both the suits by one Court i.e. either IV Junior Civil Judge or VI Junior Civil Judge or by any other Court having jurisdiction to entertain both the suits. If any such application is filed by the petitioners within a period of four weeks from today, the Chief Judge, City Civil Court, Hyderabad shall club both the suits and

assign them to one Judge by consent of the parties.”

With these observations, the C.R.P. is disposed of.

At this stage, Mr.P.Narsing Rao, learned counsel for respondent Nos.1 to 3, submits that there is yet another suit which is pending before the Senior Civil Judge, City Civil Court, Hyderabad between the same parties and he also may be granted leave to make an application for clubbing that suit also along with O.S.Nos.1125 and 973 of 2014. Leave granted. If any such application is made, the Chief Judge, City Civil Court, Hyderabad shall consider the same on merits in accordance with law.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B.BHOSALE,J

Dt:17.04.2015

kdl

