

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL MISCELLANEOUS APPEAL No.998 of 2014

22.01.2015

Between:

Sri K.Krupakar Reddy

...Appellant

And

Smt.Ramaram Sujatha and others

...Respondents

Counsel for the appellant: Sri N.Ranga Rao

Counsel for respondents: Sri S.Srinivasa Sarma

The Court made the following:

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ORDER:

This civil miscellaneous appeal arises out of the order, dated 02.04.2014, in I.A.No.918 of 2013 in O.S.No.555 of 2013 on the file of the learned Special Sessions Judge for trial of cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989-cum-Additional District & Sessions Judge, Ranga Reddy District.

I have heard the learned counsel for both parties and perused the record.

Considering the fact that the suit for specific performance of agreement of sale stated to have been executed by the husband of respondent No.1 is pending, any alienation made during the pendency of the suit would lead to creation of third party interests. I am, therefore, of the opinion that the lower Court has committed an error in declining injunction in favour of the appellant.

In the above view of the matter, the respondents are restrained from alienating the suit schedule property pending the suit. The lower Court is directed to dispose of O.S.No.555 of 2013 itself within a period of six months from the date of receipt of a copy of this order.

Subject to the above direction, the Civil Miscellaneous Appeal is allowed.

As a sequel to allowing the civil miscellaneous appeal, C.M.A.M.P.No.1631 of 2013 filed by the appellant for interim relief shall stand disposed of.

(C.V.NAGARJUNA REDDY, J)

22nd January, 2015
GHN