

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.679 of 2014

ORDER :

This petition is filed to withdraw O.S.No.701 of 2014 from the file of III Additional Chief Judge, City Civil Court, Hyderabad, and transfer the same to XXV Additional Chief Judge, City Civil Court, Hyderabad, to be tried along with O.S.No.1016 of 2013.

2. Respondents No.1 to 3 in spite of service of notice neither appeared in person nor through any Advocate.

3. Heard arguments of petitioners.

4. Advocate for petitioners submitted that petitioners herein filed O.S.No.701 of 2014 for eviction and the same is pending before III Additional Chief Judge, City Civil Court, Hyderabad, whereas, respondents herein filed O.S.No.1016 of 2013 for declaration of title in respect of same property and the same is pending before XXV Additional Chief Judge, City Civil Court, Hyderabad, and both the suits have to be tried by one Court to avoid conflicting decisions. He submitted that the suit pending before XXV Additional Chief Judge is the earlier suit, which is a comprehensive one, therefore, the suit pending before III Additional Chief Judge, City Civil Court, Hyderabad, may be transferred to XXV Additional Chief Judge, City Civil Court, Hyderabad.

5. I have perused the material papers and also

affidavit filed in support of transfer petition. Affidavit filed on behalf of petitioners remained unchallenged. Therefore, for the reasons stated in the affidavit, O.S.No.701 of 2014 is withdrawn from III Additional Chief Judge, City Civil Court, Hyderabad, and transferred to XXV Additional Chief Judge, City Civil Court, Hyderabad, to be tried along with O.S.No.1016 of 2013.

6. Accordingly, transfer C.M.P. is ordered. No costs.

7. Miscellaneous Petitions, if any, shall stand closed.

S. RAVI KUMAR, J

6th February 2015.

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