

IN THE HIGH COURT OF JUDICATURE; AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

Second Appeal No.460 of 2015

BETWEEN:

Smt. A. Rajani

.. Appellant

AND

Smt. Safia Begum

and 2 others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 11.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

1. Whether reports of Local newspapers
may be allowed to see the judgments? YES/NO

2. Whether the copies of judgments may be
marked to Law Reporters/Journals. YES/NO

3. Whether their Ladyship/Lordship wish to
see the fair copy of the Judgment ? YES/NO

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Second Appeal No.460 of 2015

ORDER:

The appellant is the plaintiff in O.S.No.227 of 2006 on the file of the Junior Civil Judge, Mahabubnagar. The suit was filed for declaration of title and perpetual injunction. The suit was decreed by judgment and decree dated 18.03.2013. Against the same, the defendants filed appeal suit being A.S.No.24 of 2013 before the Family Court-cum-VIII Additional Sessions Judge, Mahabubnagar. The appellate Court, by judgment and decree dated 29.12.2014, remanded the matter to the trial Court with regard to the possession, however, upheld the decree of the trial Court with regard to the other aspects.

In the circumstances, the learned counsel for the appellant seeks indulgence of this Court to direct the trial Court-Junior Civil Judge, Mahabubnagar to dispose of O.S.No.227 of 2006 on the point of remand.

In the circumstances, this Second Appeal is dismissed. However, the Junior Civil Judge, Mahabubnagar is directed to decide the point of remand and shall dispose of O.S.No.227 of 2006, after giving due notice and opportunity to both the parties, in accordance with law, within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs. Miscellaneous Petitions, if any pending in this second appeal, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 11.08.2015

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