

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.2261 of 2015

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ORDER :

This civil revision petition is filed under Article 227 of the Constitution of India, by the appellant in R.A.No.20 2009, aggrieved by order dated 22.04.2015, passed in I.A.No.95 of 2015, by the Chief Judge, City Small Causes Court, Hyderabad.

2. Respondent No.1 is the petitioner in R.C.No.146 of 2005 on the file of Principal Rent Controller, Hyderabad. He filed the said petition under the provisions of the A.P.Buildings (Lease, Rent and Eviction) Control Act, 1960, for eviction of petitioner herein from the mulgy bearing No.22-7-205, constructed in an area of 6.75 square yards equivalent to 5.67 square metres, situated at Diwan Deodi Kaman, Hyderabad. The said petition is allowed and eviction is ordered. As against the same, appeal is filed. In the appeal, application in I.A.No.95 of 2015 is filed by the appellant, to implead the 2nd respondent herein on the ground that the petition schedule property is purchased by the 2nd respondent. In support of the same, he relied on the sale deed executed by one Mrs.Durdana Fatima in favour of 2nd respondent with regard to house property bearing No. 22-7-205/3. The said petition is dismissed by the appellate Court. As

against the same, this revision is filed.

3. In this revision, it is contended by the learned counsel for petitioner that as the petition schedule property is purchased by the 2nd respondent, he is necessary and proper party.

4. It is to be noticed that the petition schedule property covered in the R.C. is the mulgy bearing No.22-7-205 constructed in an area of 6.75 square yards equivalent to 5.67 square metres, but the sale deed basing on which the present I.A. for impleadment of 2nd respondent is filed, is not executed by the 1st respondent/landlord, but is executed by a landlady by name Mrs.Durdana Fatima. Even in the said sale deed, the schedule of the property is shown as mulgy bearing No.22-7-205/3 constructed in an area of 4.00 square yards or 3.34 square metres, but not the property mentioned in the R.C. Therefore, we are of the view that the appellate Tribunal has rightly dismissed the petition filed by the appellant herein for impleadment of 2nd respondent.

5. For the aforesaid reasons, this revision is devoid of merit and is accordingly dismissed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

19th June 2015

ajr