

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

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CIVIL REVISION PETITION No.4335 of 2015

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ORDER:

The petitioners herein are the plaintiffs in the suit O.S.No.44 of 2014 on the file of the Additional District Judge's Court, Vikarabad, Ranga Reddy District. They are aggrieved by the docket order passed by that Court on 18.11.2014 staying the suit on the ground that A.S.No.831 of 2008 was pending in this Court.

A.S.No.831 of 2008 arises out of O.S.No.35 of 1999 filed for partition of the suit schedule property. The plaintiffs herein have purchased the property in question from one of the sharers. Therefore, as soon as the final decree proceedings are drawn in O.S.No.35 of 1999, the present suit O.S.No.44 of 2014 can be proceeded. As under law, a preliminary decree of partition only recognizes the right of the sharers while the final decree allocates the respective shares to the sharers.

Hence, subject to the above modification, the Civil Revision Petition stands disposed of. No costs. Miscellaneous petitions, if any, pending this civil revision petition shall stand closed.

NOOTY RAMAMOHANA RAO, J

NOVEMBER 20, 2015

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DATE: 20.11.2015

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