

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No.976 of 2011

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ORDER:

The defendants 1 to 4 in O.S. No.1250/2003 on the file of the Court of the learned Principal Senior Civil Judge, R.R.District at L.B.Nagar are the petitioners herein. The said suit was filed by respondent No.1 herein for specific performance of the agreement of sale dated 26.08.2003 in respect of Plot No.211 admeasuring 297 square yards in Survey Nos.357/1 and 357/3 situated at Mehdijung Colony, Moula-ali, Malkajgiri Mandal and Municipality, R.R. District. In the said suit, I.A.No.2097/2010 was filed by the Special Power of Attorney holder seeking permission of the Court to represent on behalf of the plaintiff, and the same was allowed on 29.12.2010 by passing the following docket order:

“Counter is not filed. Heard both sides. Having regard to the facts stated in the petition, petition is allowed without prejudice of the rights of the respondents.”

Now, the said application is being opposed by the defendants 1 to 4, who did not file counter, stating that their applications, which were filed in the year 2003, are pending consideration before the trial Court.

In the present proceedings, we are not concerned with the pending applications and it always open to the defendants 1 to 4 to pursue their remedies in the pending applications. Since the trial Court passed the present docket order exercising its power of discretion, this Court is not inclined to interfere with the said order.

Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

A.RAMALINGESWARA RAO, J

07.12.2015

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