

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.262 of 2014

ORDER :

This petition is filed to transfer O.S.No.3 of 2014 from the file of District Judge, Nizamabad, to I Additional District Judge, Nizamabad, where a comprehensive suit for partition in O.S.No.4 of 2012 is pending, to avoid conflicting judgments.

2. Petitioners are defendants in O.S.No.3 of 2014 and 1st respondent is plaintiff in O.S.No.3 of 2014. According to affidavit, petitioners herein filed O.S.No.4 of 2012 for partition and 1st respondent herein filed O.S.No.3 of 2014 for injunction in respect of some of the properties covered by the partition suit. Now the request of petitioners is to see both the suits are tried by one Court to avoid conflicting decisions.

3. Other side Advocate has no objection for the relief claimed by petitioners.

4. For the reasons stated in the affidavit filed in support of the petition, without prejudice to the rights of both parties in respect of their claims over the schedule properties, O.S.No.3 of 2014 is withdrawn from the file of Principal District Judge and transferred to I Additional District Judge, Nizamabad, to be tried along with O.S.No.4 of 2012.

5. Accordingly, transfer C.M.P. is allowed. No costs.

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

16th February 2015.
mar

S. RAVI KUMAR, J