

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE
AND
HON'BLE SRI JUSTICE P.NAVEEN RAO**

WRIT APPEAL No.1465 of 2012

Date: 01.06.2016

Between:

S.Adivaiah, S/o late Laxmaiah, Aged 58 years,
Occu: Agriculture, R/o Mokila Village, Shankerpally
Mandal, Ranga Reddy District and two others.

..... Writ Appellants

and

M.Narsimha Reddy, S/o late Venkat Reddy,
Aged about 71 years, Occu: Agriculture,
R/o Bholakpur Village, Shankerpally Mandal,
Ranga Reddy District.

.....Respondent/ writ petitioner

The Tahsildar, Shankerpally Mandal,
Ranga Reddy District and others.

.... Respondents/ respondents

The Court made the following:

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO**

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ORDER: (*Per the Hon'ble Sri Justice P.Naveen Rao*)

This writ appeal is preferred against the order in W.P.No.5159 of 2007, dated 12.09.2011. The dispute in the instant proceedings relate to entries in the record of rights.

2. When the matter is taken up for consideration, learned counsel for appellants and counsel for respondents placed before this Court the order passed in W.A.No.406 of 2015, dated 04.06.2015. The said writ appeal was also preferred against the same order. The Division Bench of this Court having noticed that O.S.No.1181 of 2007 is pending on the file of IX Additional District Judge, Ranga Reddy, with the consent of the counsels appearing for the respective parties, disposed of the writ appeal directing disposal of O.S.No.1181 of 2007.

3. However, learned counsel for appellants submits that even though direction was issued by this Court to dispose of O.S.No.1181 of 2007 within a period of eight months, so far the said suit is not disposed of and at the stage of admission, this Court is pleased to pass interim suspension of the order impugned in the writ appeal and, therefore, prayed for continuation of the interim order pending disposal of O.S.No.1181 of 2007.

4. Having regard to the submissions made, we are satisfied that the following order shall meet the ends of justice:

The Civil Court (IX Additional District Judge, Ranga Reddy District) shall decide the suit, bearing O.S.No.1181 of 2007, on merits in accordance with law and uninfluenced by the observations made in the order impugned in the present appeal. Since the appellants were not party to the writ petition, it is further made clear that the observations made in the impugned order are not binding on them. We hope and trust that the civil Court shall decide the suit on merits in accordance with law as expeditiously as possible keeping in view the directions issued in W.A.No.406 of 2015. It is once again made clear

that the civil Court shall decide the suit uninfluenced by the orders passed in the instant proceedings. It is open to the appellants to approach the revenue authorities for affecting necessary changes in the record of rights, if they succeed in the suit. It is further ordered that till the disposal of O.S.1181 of 2007, the interim order granted by this Court on 20.11.2012 shall continue to operate.

5. With the above observations, the writ appeal is disposed of. Miscellaneous petitions, if any, stand disposed of.

DILIP B. BHOSALE, ACJ

P.NAVEEN RAO, J

Date: 01.06.2016
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**HON’BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE
AND
HON’BLE SRI JUSTICE P.NAVEEN RAO**

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