

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

C.M.A. NOs.557 AND 814 OF 2013

DATED:03-08-2016

C.M.A. No.557 of 2013

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Between:

Smt. P. Zubeda Begum ... Appellant

And

P. Mohammad Umar
and others ... Respondents

COUNSEL FOR THE APPELLANT: Mr. Viswanath Manoj,
for Mr. T.S. Anand

COUNSEL FOR RESPONDENT NOs.1 and 4: Mr. S.M.
Subhani

COUNSEL FOR RESPONDENT NOs.2 and 3: None appeared

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C.M.A. No.814 of 2013

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Between:

P. Mohammed Umar
and another ... Appellants

And

P. Zubeda Begum ... Respondents
and others

COUNSEL FOR THE APPELLANTS: Mr. S.M. Subhani

COUNSEL FOR RESPONDENT NO.1: Mr. Viswanath Manoj,
for T.S. Anand

COUNSEL FOR RESPONDENT NOs.2 and 3: None appeared

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THE COURT MADE THE FOLLOWING:

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COMMON JUDGMENT: (per the Hon'ble Sri Justice C.V. Nagarjuna Reddy)

The plaintiff in O.S. No.25 of 2012 on the file of the I Additional District Judge, Kurnool, filed C.M.A. No.557 of 2013 against order dt.22.4.2013 in dismissing I.A. No.1704 of 2013 filed for appointment of an Advocate Receiver to manage the petition schedule property and to deposit the income from the same to the credit of the suit, pending the said suit. Defendant Nos.1 and 4 in the suit filed C.M.A. No.814 of 2013 against order dt.2.4.2012 in I.A. No.500 of 2012 in the afore-mentioned suit, whereby the lower Court has granted an ad interim injunction restraining the appellants and respondent Nos.2 and 3 from alienating any part of the suit schedule property.

At the hearing, Mr. Viswanath Manoj, learned counsel, representing Mr. T.S. Anand, learned counsel for the appellant in C.M.A. No.557 of 2013, and Mr. S.M. Subhani, learned counsel for the appellants in C.M.A. No.814 of 2013, submitted that the suit itself is at the advanced stage of trial.

Considering the nature of the relief claimed by the parties, no interference with the impugned orders of the lower Court at this stage is warranted. Accordingly, the C.M.As are dismissed, leaving the parties free to pursue the suit.

As a sequel to dismissal of the C.M.As, C.M.A.M.P. Nos.1247 of 2013 and 1688 of 2014 in C.M.A. No.557 of 2013, and C.M.A.M.P. No.1713 of 2013 in C.M.A. No.814 of 2013 shall stand disposed of as infructuous.

C.V. NAGARJUNA

REDDY, J

G. SHYAM

PRASAD, J

03-08-2016

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