

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SMT. JUSTICE T.RAJANI

CIVIL REVISION PETITION Nos.4091 and 4092 of 2015

16.02.2017

Between:

M/s.Sana Yadi Reddy Digital Studios, Hyderabad

..Petitioner

And

Asfaq Maqsood

..Respondent

Counsel for the petitioner: Mr.L.Ravichander, senior counsel
for Mr.P.Subhash

Counsel for the respondent: Mr.Mohd.IIlyas

The Court made the following:



COMMON ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

These Civil Revision Petitions arise out of separate docket orders, dated 31.08.2015, in E.P.No.2 of 2013 in Registered Document No.470 of 2011 in Arbitration Case No.Nil of 2011, award, dated 18.01.2011, on the file of XXIV Additional Chief Judge, City Civil Court, Hyderabad, and in E.P.No.1 of 2013 in Registered Document No.470 of 2011 in Arbitration Case No.Nil of 2011, award, dated 18.01.2011, before the same Court respectively.

2. The necessity of adjudicating these revision petitions on merits is obviated for the reason that the petitioner agreed to vacate the premises in dispute and voluntarily handover the same to the respondent, if reasonable time is granted. The petitioner has given affidavit undertaking, dated 16.02.2017, wherein a request for permission to remain in the premises in dispute till 30.07.2017 is made, while undertaking to vacate the same by the said date. In this context, it needs to be mentioned that initially the month 'August' and the date '30.08.2017' were mentioned, at two places in para 5 of the said affidavit undertaking. However, Mr.P.Subash, learned counsel on record for the petitioner, has submitted that he is authorized to correct the date '30.08.2017' by substituting it with '30.07.2017' and so also the month 'August' by substituting it with 'July'. Mr.Mohd. Ilyas, learned counsel for the respondent, has agreed, though reluctantly, on behalf of his client to the aforementioned proposal.

3. Though it is not mentioned in the aforementioned affidavit undertaking, Mr.M.Venkata Rama Rao, learned counsel, who has appeared for the petitioner in C.R.P.No.13 of 2017 also filed by him, has

submitted that his client is willing to withdraw all the cases filed by it against the respondent in connection with the premises in dispute.

4. In the light of the above submission and having regard to the aforementioned affidavit undertaking, dated 16.02.2017, given by the petitioner, both these Civil Revision Petitions are disposed of, by placing on record, the said affidavit undertaking. The petitioner is permitted to remain in the premises in dispute till 5.00 p.m. on 30.07.2017 and he shall handover the vacant possession thereof to the respondent by the said time and date. Needless to mention that the petitioner shall continue to pay the rent at Rs.60,000/- per month for the premises in dispute till its handing over to the respondent. In the event of the petitioner violating any of the conditions undertaken hereinbefore, the respondent shall be free to avail appropriate legal remedies available to him in law including initiation of contempt proceedings.

5. As a sequel to disposal of these C.R.Ps., interim orders, dated 23.09.2015, as extended on 01.10.2015 in C.R.P.No.4091 of 2015 and dated 23.09.2015, as extended on 30.09.2015 in C.R.P.No.4092 of 2015 are vacated and C.R.P.M.P.Nos.5447 and 5448 of 2015 filed in C.R.P.Nos.4091 and 4092 of 2015 respectively by the petitioner for interim reliefs shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY,J

T.RAJANI,J

16th February, 2017
GHN