

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION NO.3025 OF 2014

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India, challenging the order, dated 28.07.2014 in I.A.No.18 of 2014 in O.S.No.1342 of 2005 on the file of the IX Senior Civil Judge, City Civil Court, Hyderabad.

2. Heard learned counsel for the petitioner.

3. A perusal of the record reveals that 1st respondent herein filed the above suit for partition of the suit schedule property. The petitioner herein, who is defendant No.39, filed the above interlocutory application under Section 9 of C.P.C. stating that the Senior Civil Judge, City Civil Court, Hyderabad, has no jurisdiction to entertain the suit. After affording reasonable opportunity to both parties, the trial Court dismissed the I.A. by making some observations. Hence, this revision.

4. It is the contention of the learned counsel for the petitioner that the suit schedule property is the Wakf Property.

5. At the time of arguments, the only relief sought for by the learned counsel for the petitioner is to direct the trial Court to dispose of the suit without being influenced by any of the observations made in I.A.No.18 of 2014.

6. Having regard to the facts and circumstances of the case and in view of submission made by the learned counsel for the petitioner, the trial Court is hereby directed to dispose of O.S.No.1342 of 2005 in accordance with law

without being influenced by any of the observations made in I.A.No.18 of 2014.

7. Accordingly, the Civil Revision Petition is disposed of. No order as to costs. Miscellaneous petitions, if any pending, in this Civil Revision Petition shall stand closed.

T.SUNIL CHOWDARY, J

DATED: 17-01-2017.

Hsd

