

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI

CMA NO. 962 of 2015

Date of Order: 8.6.2017

Between:-

V. Rambabu

...Appellant

And

M. Suresh Babu

...Respondent

Counsel for appellant : Mr. Sakinala Ravi Kumar for
Mr. L. Prabhakar Reddy

Counsel for respondent : None appeared

The Court made the following order,



HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
HON'BLE MS. JUSTICE J. UMA DEVI

CMA NO. 962 of 2015

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

This appeal arises out of order dated 1.6.2015 in I.A.No. 180 of 2013 in O.S.No. 120 of 2013 on the file of the Spl. Sessions Judge for trial of cases under SC & ST (POA) Act-cum-VII-Addl. District and Sessions Judge, Ranga Reddy district.

The plaintiff/appellant filed the aforementioned suit for specific performance of an agreement of sale. He also filed IA No. 180 of 2013 seeking interim injunction restraining the respondent from alienating the suit schedule property. The said application having been dismissed by the Court below with an observation that any alienation made by the respondent is hit by Section 52 of Transfer of Property Act, the appellant has filed this appeal.

Though notice was sent to the respondent, the same was not claimed by him, as per memo filed by learned counsel for the appellant, dated 7.3.2017. Thus the respondent has failed to contest this appeal.

Considering the facts and circumstances of the case, we are of the opinion that interest of justice would be served, if the appellant's interest is safeguarded pending the suit. Accordingly the respondent is restrained from making fresh alienations in addition to alienations, if any made earlier pending the suit.

This appeal is accordingly disposed of. CMAMP Nos. 779 of 2017, 2011 and 2012 of 2015 shall stand disposed of as infructuous.

JUSTICE C.V. NAGARJUNA REDDY

Dt. 8.6.2017
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JUSTICE J. UMA DEVI

