

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

WEDNESDAY THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND SEVENTEEN

PRESENT

**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT
AND
HONOURABLE SRI JUSTICE U. DURGA PRASAD RAO**

**CIVIL MISCELLANEOUS APPEAL No. 36 OF 2017
AND
CIVIL MISCELLANEOUS APPEAL No. 37 OF 2017**

Between:

Chimmula Ravinder Reddy ... Appellants

V/s.

Shriram City Union Finance Ltd.
Guntur Branch,
Represented by its Authorised Divisional Executive
& GPA holder, Arundalpet, Guntur &N Ors. ... Respondents

Counsel for the appellant: Sri P. Subhash

Counsel for the Respondents: None appeared

The court made the following: [order follows]

**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT
AND
HONOURABLE SRI JUSTICE U. DURGA PRASAD RAO**

**CIVIL MISCELLANEOUS APPEAL No. 36 OF 2017
AND
CIVIL MISCELLANEOUS APPEAL No. 37 OF 2017**

COMMON JUDGMENT : {Per the Hon'ble Sri Justice Suresh Kumar Kait}

Since the issues and facts raised in both these Civil Miscellaneous Appeals are one and the same, therefore, we decided to dispose of both Civil Miscellaneous Appeals by this common judgment.

2. CMA.No.36 of 2017 is filed against the order dated 05/01/2017 passed in I.A.No. 14 of 2017 in Arbitration OP.No. 7 of 2017 by the Judge, Family Court, Guntur and CMA.No. 37 of 2017 is filed against the order dated 05/01/2017 passed in I.A.No. 15 of 2017 in Arbitration OP.No. 6 of 2017 by the Judge, Family Court, Guntur.

3. Sri P. Subhash, learned counsel appearing on behalf of the appellant submits that the appellant has no grievance to the

order dated 05/1/2017 as noted above, however, the respondent No. 1 has started seizing the vehicles in-question, as is evident from page Nos. 32 to 39 of the material papers of both the civil miscellaneous appeals, dated 06/1/2017.

4. We find force in the submission of the counsel for the appellant and on perusal of the order only interim injunction is granted restraining the appellant herein from alienating or inducting third party interest in respect of the petition-schedule property. There is no such order that the respondents herein to attach the property in question.

5. Accordingly, we hereby grant liberty to the appellant to approach the court below within ten days from today, which has passed the order dated 05/1/2017 in I.A.Nos. 14 of 2017 and I.A.No. 15 of 2017 in AOP.No. 6 and 7 of 2017 respectively for appropriate orders.

6. Meanwhile, Respondent No.1 is hereby restrained from seizing the vehicles from appellant.

7. We hereby make it clear that the respondent No.1 Shriram City Union Finance Limited, Guntur-1, Arundalpet, Guntur, shall not alienate the vehicles already seized, as mentioned in paragraph No.6 of the affidavit of CMA.MP.No. 68 of 2017 in CMA.No. 36 of 2017 and CMA.MP.No. 69 of 2017 in CMA.No. 37 of 2017.

8. In view of the above direction, the Civil Miscellaneous Appeals are disposed of at the admission stage. No costs.

9. As a sequel, miscellaneous petitions if any, pending in these Civil Miscellaneous Appeals shall stand disposed of.

JUSTICE SURESH KUMAR KAIT.

JUSTICE U. DURGA PRASAD RAO.

18/01/2017
I s L

N B : Furnish CC today
B/o. I s L

URGENT C.C.

**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT
AND
HONOURABLE SRI JUSTICE U. DURGA PRASAD RAO**

**CIVIL MISCELLANEOUS APPEAL No. 36 OF 2017
AND
CIVIL MISCELLANEOUS APPEAL No. 37 OF 2017
(COMMON JUDGMENT)**

{Per the Hon'ble Sri Justice Suresh Kumar Kait}

Date: 18/01/2017
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Court Master : I s L