

HON' BLE Dr. JUSTICE B. SIVA SANKARA RAO

Civil Revision Petition No.5174 of 2016

ORDER :

Heard both sides. Perused the grounds urged in the revision and impugned order of the lower Court.

The contention of the petitioner/ proposed party is that the 2nd respondent-so called tenant under the 1st respondent alleged landlord of R.C.No.250 of 2011 is no other than his own brother and their father was the original tenant and after death of their father he is also the tenant however, the respondents 1 and 2 collusively behind his back maintained the Rent Control Petition supra, which may lead to prejudice his rights, hence, he is to be impleaded.

Whereas, it is the submission of the learned counsel for the 1st respondent-landlord-the petitioner to the Rent Control Petition supra that, though their father was the original tenant for the two shops, after his death each of the two sons are continuing as tenants for respective one shop each and even the petitioner in his implead petition sought for claiming only for the neighboring shop and not for the petition schedule shop in question and that now the matter reached to the stage of arguments and at this stage, there is nothing to permit him come on record to postpone disposal of the matter at the instance of his brother much less to interfere with the

lower Court's dismissal order when it came to the right conclusion in saying that he is not a necessary party to the lis.

Having regard to the above and from the submissions covered by the material on record, without prejudice to the contest of the revision petitioner to maintain an independent suit for the relief of injunction or the like, the revision is disposed of to work out his rights therein if any.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt. 16.11.2017.
vvr

