

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

TRANSFER C.M.P.No. 836 OF 2017

ORDER:

This transfer civil miscellaneous petition under Section 24 of the Code of Civil Procedure (for short, 'C.P.C.') is filed to withdraw O.S. No.52 of 2016, pending on the file of Principal District and Sessions Judge, Guntur District, and transfer the same to the Court of I Senior Civil Judge, City Civil Court, Hyderabad, to try along with O.S. No.888 of 2015.

The suit in O.S. No.888 of 2015 is filed for grant of perpetual injunction against the 1st defendant for effecting mutation or transfer of 13,460 shares held by the plaintiff in defendant No.2 company, in the name of any other person, particularly defendants 3 to 7. Whereas O.S. No.52 of 2016 pending on the file of Principal District and Sessions Judge, Guntur, is filed for grant of permanent injunction restraining the defendants 6 and 7, as Sale-cum-GPA holders, their men, agents, associates, and other persons from in any way interfering with the suit schedule property.

During the course of arguments, learned counsel for the petitioner contended that both the suits are pertaining to the company, who is the 2nd defendant in O.S. No.888 of 2015, and as the petitioner is 11% shareholder in the company, filed a company petition and it is pending before the Company Law Board.

Sri Ch.Pushyam Kiran, learned counsel for the respondent fairly reported no objection for withdrawal of O.S. No.52 of 2016 pending on the file of the Principal District and Sessions Judge, Guntur and transfer

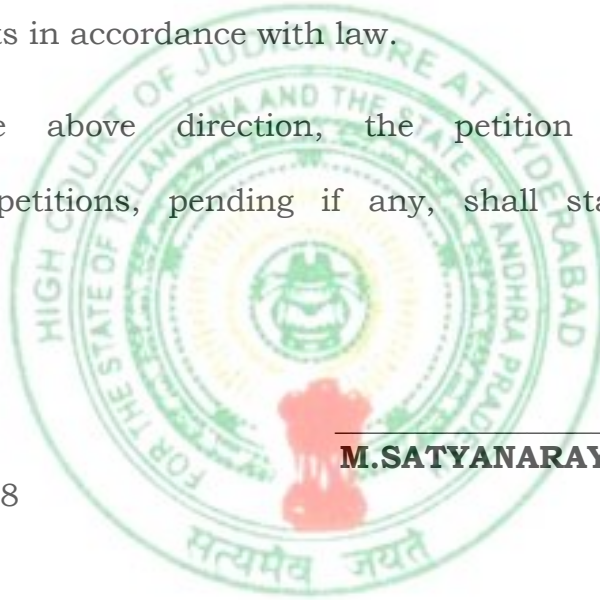
the same to the Court at Hyderabad and learned counsel for the petitioner has also accepted the proposal made by the learned counsel for the respondent.

In view of the consent given by both the counsel, O.S. No.52 of 2016 pending on the file of Principal District and Sessions Judge, Guntur is withdrawn and transferred to the Court of Chief Judge, City Civil Court, Hyderabad and O.S. No.888 of 2015 pending on the file of the I Senior Civil Judge, City Civil Court, Hyderabad is withdrawn and transferred to the Court of Chief, Judge, City Civil Court, Hyderabad to try both the suits in accordance with law.

With the above direction, the petition is disposed of. Miscellaneous petitions, pending if any, shall stand dismissed in consequence.

Date: 22.01.2018
knl

M.SATYANARAYANA MURTHY, J.



THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY



Dt.22.01.2018

kn1

