

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

Civil Revision Petition No.1079 of 2019

ORDER:-

This Revision is filed challenging the order dt.28.03.2019 in Tr.O.P.No.32 of 2019 of the Chief Judge, City Civil Court, Hyderabad, refusing to transfer O.S.No.397 of 2014 on the file of the XXI-Junior Civil Judge, City Civil Court, Hyderabad, to the Court of the VII-Additional Senior Civil Judge, City Civil Court, Hyderabad, and to conduct common/joint trial therein.

2. Heard Counsel for the petitioners and Sri Azhar Ali Khan for respondents No.1 to 3. Respondents No.4 to 8 have been shown to be not necessary parties.

3. A reading of the impugned order shows that the Court below has simply extracted the contentions of both sides and has abruptly recorded its conclusion that it is not a fit case to allow the transfer O.P. Since the order passed by the Court below is bereft of reasons the said order cannot be sustained.

4. The Civil Revision Petition is accordingly allowed; the order dt.28.03.2019 in Tr.O.P.No.32 of 2019 of the Chief Judge, City

Civil Court, Hyderabad, is set aside; and the said Tr.O.P.No.32 of 2019 is remanded back to the said Court for fresh consideration by the said Court after hearing both parties and for passing of a fresh reasoned order by it. The Court below shall dispose of the said Tr.O.P. within two months from the date of receipt of copy of this Order.

Consequently, miscellaneous petitions if any pending in the Civil Revision Petition shall stand dismissed. No order as to costs.

M.S.Ramachandra Rao, J

27th June, 2019
smr

