

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2311 OF 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed aggrieved by the order, dated 17.09.2018, passed in I.A.No.75 of 2018 in R.C.No.289 of 2010 by the II Additional Rent Controller, Hyderabad, whereby the application filed by the petitioner under Order 1 Rule 10 r/w Section 151 of C.P.C to implead the petitioner herein as petitioner No.2 in RC.No.289 of 2010 and to permit him to continue the proceedings, was dismissed.

2. Heard the learned counsel for the petitioner/proposed party, the learned counsel for the respondent No.2 and perused the record.

3. It has been conceded by both sides that the parties to the litigation have filed three R.Cs and they are clubbed and pending for disposal. A similar application in I.A.No.74 of 2018 was filed in R.C.No.391 of 2009 and the same was dismissed by order dated 17.09.2018. Aggrieved by the said order, C.R.P.No.5977 of 2018 was filed before this Court and this Court vide order dated 22.08.2019 allowed the said C.R.P and set aside the order dated 17.09.2018 passed in I.A.No.74 of 2018 and the proposed party was allowed to be brought on record.

4. A perusal of the record would disclose that a gift settlement deed dated 05.03.2013 vide Doc.No.716/2013 said to have been executed in favour of the petitioner/proposed party

and by virtue of the same he got substantial interest in the R.C proceedings.

5. Under these circumstances, the Civil Revision Petition is allowed and the order dated 17.09.2018 passed in I.A.No.75 of 2018 in R.C.No.289 of 2010 by the II Additional Rent Controller, Hyderabad, is set aside. Consequently, the I.A.No.75 of 2018 stands allowed as prayed for. No order as to costs.

Miscellaneous petitions, if any, pending in this revision petition shall stand closed.

Date: 05.11.2019
grk

Dr. SHAMEEM AKTHER, J

