

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.3077 OF 2019

ORDER:

This revision petition, under Article 227 of the Constitution of India, is filed by the petitioner/defendant aggrieved by the order dated 11.11.2019 passed in I.A.No.215 of 2019 in O.S.No.3088 of 2016 by the VII Junior Civil Judge, City Civil Court, Hyderabad, whereby the application filed by the revision petitioner/defendant under Section 10 of CPC to stay the subject suit, was dismissed.

2. Heard learned counsel for the revision petitioner/defendant and perused the record.

3. In the course of submissions, it is brought to the notice of this Court that the respondents/plaintiffs filed the subject suit in O.S.No.3088 of 2016 for perpetual injunction and the revision petitioner/defendant has filed O.S.No.3077 of 2016 for eviction. In both the suits, distinct claims were sought. Therefore, Section 10 of CPC has no application. The Court below is justified in passing the impugned order. This revision petition is devoid of merit and is liable to be dismissed.

4. In the result, the Civil Revision Petition is dismissed at the stage of admission.

The Miscellaneous Petitions, if any, pending shall stand closed. No costs.

Dr. SHAMEEM AKTHER, J

Date: 24.12.2019
ssp