

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.2598 of 2013

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the revision petitioner/ plaintiff, challenging the order, dated 23.03.2013, passed in C.M.A.No.41 of 2012 by the Principal District Judge, Medak at Sangareddy, wherein the Court below allowed the appeal preferred by the respondents/defendants and set aside the order, dated 30.10.2012 passed in I.A.No.907 of 2012 in O.S.No.224 of 2012 by the Principal Junior Civil Judge, Sangareddy.

2. Heard the learned counsel for both sides and perused the record.

3. Learned counsel for the revision petitioner/plaintiff would contend that the impugned order passed by the Court below is erroneous on law and facts of the case. In the subject suit, the revision petitioner/plaintiff is seeking cancellation of certain documents and partition of the suit schedule property. In the given circumstances, the suit schedule "ABC" properties are required to be protected by restraining the respondents/ defendants from alienating the suit schedule property and ultimately prayed to allow the Civil Revision Petition by setting aside the impugned order.

4. On the other hand, learned counsel for the respondents/ defendants supported the impugned order and contended that

there is no legal infirmity in the order under challenge and ultimately prayed to dismiss the Civil Revision Petition.

5. In view of the submissions made by both sides, anyhow, it is borne by the record that the subject suit was filed in the year 2012 and is still pending before the Court below. Substantial issues are raised with regard to the valid transfer of suit schedule 'B' and 'C' properties. Further, to avoid alienation of suit schedule 'B' and 'C' properties and multiplicity of the proceedings and in the interest of justice, it is just and proper to restrain the parties from alienating the suit schedule B and C properties, till disposal of the subject suit in O.S.No.224 of 2012 pending on the file of the Principal Junior Civil Judge, Sangareddy.

6. Accordingly, both the parties are restrained from alienating the suit 'B' and 'C' schedule properties till disposal of the suit. The Court below is directed to dispose of the subject suit in O.S.No.224 of 2012 within a period of three (3) months from the date of receipt of a copy of the order.

7. With the above directions, the Civil Revision Petition is disposed of.

Miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand closed.

21st January, 2020
vvr

Dr. SHAMEEM AKTHER, J