

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY**

PRESENT

THE HONOURABLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION NO. 1081 OF 2020

Petition under Article 227 of Constitution of India against the order dated 04.02.2020 in I.A.No.714 of 2019 in O.S.No.37 of 2012 on the file of the Court of the Senior Civil Judge, at Nalgonda.

Between:

1. Boddupally Rameshwaramma W/o. late Brahmachary, Aged 56 years, Occ. Household, R/o. Ramagiri Road, Nalgonda Town.
2. Boddupally Umashankar, S/o. late Brahmachary, Aged 40 years, Occ. Carpenter, R/o. Ramagiri Road, Nalgonda Town
3. Boddupally Uma Rani, W/o. Hariprasad, Aged 37 years, Occ. Household, R/o. Ramagiri Road, Nalgonda Town.
4. Boddupally Murali Mohan, S/o. late Brahmachary, Aged 35 years, Occ. Private Servant, R/o. Ramagiri Road, Nalgonda Town.
5. Boddupally Sridhar Prasad, S/o. late Brahmachary, Aged 32 years, Occ. Private Servant, R/o. Ramagiri Road, Nalgonda Town.

...PETITIONERS/ Petitioners/ Plaintiffs

AND

Gattupally Karthik Reddy, S/o Ravindhar Reddy, aged 30 years, Occ. Business, R/o. Santhoshnagar, GV Gudem Road, Nalgonda.

...RESPONDENT/ Respondent / Defendant

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant Stay of all further proceedings in OS No. 37 of 2012 on the file of Senior Civil Judge, Nalgonda pending disposal of the above CRP

Counsel for the Petitioner: SRI V. RAVI KIRAN RAO

Counsel for the Respondent: None appeared

The Court made the following: ORDER

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1081 OF 2020

ORDER:

This revision, under Article 227 of the Constitution of India, is filed by the petitioners/plaintiffs, aggrieved by the order dated 04.02.2020 passed in I.A.No.714 of 2019 in O.S.No.37 of 2012 by the Senior Civil Judge, Nalgonda, whereby, the application filed by the revision petitioners/plaintiffs requesting to appoint an Advocate Commissioner to locate the schedule property by marking survey with the assistance of qualified Surveyor, was dismissed.

2. Heard learned counsel for the revision petitioners/plaintiffs and perused the record. Though the sole respondent is served with notice, there is no representation on his behalf.

3. In the course of submissions, it is brought to the notice of this Court that the petitioners intend to file a fresh application seeking appointment of an Advocate Commissioner to note down the physical features of the suit schedule property and accordingly requested to set aside the impugned order granting the said liberty.

4. The respondents did not file counter and oppose the application in the Court below.

5. Under these circumstances, the impugned order dated 04.02.2020 passed in I.A.No.714 of 2019 in O.S.No.37 of

2012 by the Senior Civil Judge, Nalgonda is set aside granting liberty to the petitioners/plaintiffs to file a fresh application seeking appointment of Advocate Commissioner to note down the physical features of the suit schedule property. On filing such application, the Court below shall dispose of the same in accordance with law.

6. Accordingly, the Civil Revision Petition is ordered. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending shall stand closed.

SD/- K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Senior Civil Judge at Nalgonda.
2. One CC to SRI V. RAVI KIRAN RAO, Advocate [OPUC]
3. Two CD Copies

MP



HIGH COURT

DATED:02/12/2020



ORDER

CRP.No.1081 of 2020

ORDERING THE C.R.P
WITHOUT COSTS

4
HMA
16/12/2020.