

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

THURSDAY, THE TWENTY FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION NO: 3570 OF 2018

Petition under section 115 of CPC Aggrieved by the Order dated 27/03/2018 in I.A.NO. 254/2018 in A.S.No. 43/2018 on the file of the Court of the XI Additional Chief Judge, City Civil Court, Hyderabad.

Between:

Smt. A. Mangamma, W/o P.Suryanarayana Aged about 62 years, Occ- House Wife
R/o 1-1-770/7, Flat No. 401, Jai Kedar Nilayam Near Canara Bank, Gandhi Nagar,
Hyderabad.

...PETITIONER/Respondent/Plaintiff

AND

1. Smt. P.Sunanda, W/o P.Srikrishna Aged about 51 years, Occ- House Wife
R/o 1-7-631/12/A/5, Gemini Colony, Musheerabad, Hyderabad 500 020
2. Sri.P.Srikrishna, S/o P.Swamy. Aged about- 56 years, Occ- Business
R/o 1-7-631/12/A/5, Gemini Colony Musheerabad, Hyderabad 500 020

...RESPONDENTS/Appellants/Defendants

IA NO: 1 OF 2018

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 Suspend the operation of the Order and Decree in I.A.No. 253 of 2018 in A.S.No. 43 of 2018 dated 27-3-2018 on the file of XI Addl. Chief Judge, City Civil Court, Hyderabad pending disposal of the CRP.

IA NO: 1 OF 2019

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 hear the above CRP by fixing at an early date.

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 receive the certified copies of the injunction order passed in I.A No. 30 of 2014 in the O.S No. 204 of 2014 and Xerox copy of the FIR., the same may be received as part of the record.

Counsel for the Petitioner : SRI J. KANAKIAH

Counsel for the Respondent : SRI RESU MAHENDER REDDY

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.3570 OF 2018

ORDER:

This Civil Revision Petition, under Section 115 of the Code of Civil Procedure, 1908, is filed by the petitioner/plaintiff aggrieved by the order and decree, dated 27.03.2018, passed in I.A.No.253 of 2018 in A.S.No.43 of 2018 by the XI Additional Chief Judge, City Civil Court, Hyderabad, wherein the Court below suspended the judgment and decree, dated 29.12.2017, passed in O.S.No.204 of 2014 by the XXI Junior Civil Judge, City Civil Court, Hyderabad.

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

3. In the course of submissions, it is brought to the notice of this Court by both the learned counsel that the aspect of existence of interim injunction during the pendency of O.S.No.204 of 2014 on the file of XXI Junior Civil Judge, City Civil Court, Hyderabad, was not properly considered by the appellate Court. This aspect as well as other merits of the case are required to be considered by the appellate Court. On this ground, the impugned order, dated 27.03.2018, is liable to be set aside.

4. Hence, the impugned order and decree, dated 27.03.2018, passed in I.A.No.253 of 2018 in A.S.No.43 of 2018 by the XI Additional Chief Judge, City Civil Court, Hyderabad, is set aside and the Court below is directed to dispose of I.A.No.253 of

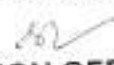
2018 afresh, after providing an opportunity of hearing to both the parties on merits, within a period of one (1) month from the date of receipt of a copy of this order.

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

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

//TRUE COPY//

Sd/-K.AMMAJI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The XI Additional Chief Judge, City Civil Court, Hyderabad.
2. One CC to SRI J. KANAKAIAH Advocate [OPUC]
3. One CC to SRI RESU MAHENDER REDDY Advocate [OPUC]
4. Two CD Copies



TL

HIGH COURT

DR.SA,J

DATED:24/12/2020



ORDER

CRP.No.3570 of 2018

ORDERING THE C.R.P.

⑤ VLW
19/1/21