

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

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE SRI JUSTICE M.LAXMAN

CITY CIVIL COURT APPEAL NO: 177 OF 2001

Appeal under Section 96 of CPC against the Judgment and decree dated 29.12.2000 in O.S.No.961 of 1993 on the file of the Court of the I Senior Civil Judge, City Civil Court, Hyderabad.

Between:

Gulab Chand, S/o late Bulchand, aged about 43 years, R/o H.No.9-1-34/12/4,
Langar House, Hyderabad

... (Plaintiff) APPELLANT

AND

1. Bal Ram, S/o late Bulchand, aged 57 years, R/o H.No.10-3-761/37, Vijayanagar Colony, Hyderabad. (died per LRs 4 to 12 vide C.O. dt.05.11.2021)
2. Lal Chand, S/o late Bulchand, aged 52 years, R/o H.No.17-3-782, Yakutpura, Hyderabad (RR-13 to 17 vide C.O. dated 05.11.2021)
3. Suraj, S/o late Bulchand R/o H.No.13-5-832, Sabji Mandi, Hyderabad
R-1: Balram (Died per LRs respondents 4 to 12)
4. Smt. Sumitra Bai W/o Late Balram, aged 72 years, Occ: Housewife, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.
5. Smt. Anita W/o Late Balram, aged 50 years, Occ: Housewife, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.
6. Smt. Sunita W/o. Late Balram, aged 47 years, Occ: Housewife, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.
7. Sri Santosh S/o. Late Balram, aged 40 years, Occ: Business, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.
8. Sri Ganesh S/o. Late Balram, aged 37 years, Occ: Business, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.
9. Sri Kishaore S/o. Late Balram, aged 34 years, Occ: Business, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.
10. Sri Mukesh S/o. Late Balram, aged 31 years, Occ: Business, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.
11. Sri Nandu S/o. Late Balram, aged 28 years, Occ: Business, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.
12. Sri Babuloo S/o. Late Balram, aged 28 years, Occ: Business, R/o. H.No.10-3-761, Vijayanagar Colony, Hyderabad.

...PROPOSED PARTIES-LEGAL HEIRS OF RESPONDENT No.1

(Respondents 4 to 13 brought on record LR of 1st Respondent as per Court Order dated 05.11.2021 vide I.A.No.3 of 2021 in A.S.No.177 of 2001)

R-2: G. Lalchand (Died per LRs respondents 13 to 17)

13. G. Shakuntala W/o. Late G. Lalchand, Aged 60 years, Occ: Household, R/o.1-1-168, Shringeri Colony, Mohan Nagar, Kothapet, Hyderabad-500035

14. G. Dinesh Chand, S/o. Late G. Lalchand, aged 44 years, R/o.1-1-168, Shrungeri Colony, Mohan Nagar, Kothapet, Hyderabad-500035
15. G. Satish Chand S/o. Late G. Lalchand, aged 42 years, R/o.1-1-168, Shrungeri Colony, Mohan Nagar, Kothapet, Hyderabad-500035
16. L. Premavati, W/o. Anil Kumar, D/o. Late G. Lalchand, aged 41 years, R/o.H.No.4-9-125/11/E, Road No.9, Huda Colony, Water Tank Shiv Nagar, Kishanbagh, Post Officer, Bahadurpura, Hyderabad-64
17. P. Rajini W/o. P. Kedhamath D/o. Late G. Lalchand, aged 39 years, H.No.12-7-4-1/2, Flat No.114, Tulja Bhavani Towers, Mettugadda, Secunderabad.

(Respondents 13 to 17 brought on record LR of 2nd Respondent as per Court Order dated 05.11.2021 vide I.A.No.4 of 2021 in A.S.No.177 of 2001)

...PROPOSED PARTIES-LEGAL HEIRS OF RESPONDENT No.2

CCCAMP. NO: 180 OF 2009

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to grant ad-interim injunction restraining the respondent No.1 from alienating the item 1 of the schedule property i.e., House Bearing No. 13-5-832, admeasuring 484 sq. yards, situated at Sabji Mandi, Hyderabad.

Counsel for the Appellants: SRI DAMODAR MUNDRA

Counsel for the Respondents: SRI M. VENKATA RAYUDU

The Court delivered the following: JUDGMENT

THE HONOURABLE SRI JUSTICE M. LAXMAN

C.C.C.A.No.177 of 2001

JUDGMENT:

Learned counsel for the appellant filed a letter, dated 25.12.2021, not pressing the appeal, since the matter is settled out of Court. Therefore, he seeks permission of this Court to withdraw the present appeal.

2. Permission is accorded.
3. Accordingly, this appeal is dismissed as withdrawn.

Miscellaneous petitions, if any, pending, shall stand closed.

**SD/-K.SRINIVASA RAO
JOINT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The I Senior Civil Judge, City Civil Court at Hyderabad. (with records)
2. One CC to Sri Damodar Mundra, Advocate [OPUC]
3. One CC to Sri M. Venkata Rayudu Advocate [OPUC]
4. Two CD Copies
5. One Spare Copy

gbr

Handwritten signature/initials

HIGH COURT

DATED: 30/12/2021



JUDGMENT

CCCA.No.177 of 2001

**DISMISSING THE APPEAL AS WITHDRAWN
WITHOUT COTS**

6
29/1/22
Hv4