

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE THIRD DAY OF AUGUST,
TWO THOUSAND AND TWENTY TWO
: PRESENT:

THE HON'BLE DR JUSTICE CHILLAKUR SUMALATHA

IA.No. 1 of 2022
IN
CRP.No. 1237 of 2016

Between:

V.Chandra Sekhar Reddy, S/o. Sri Balakrishna Reddy

Petitioner
(Petitioner in C.R.P. No.1237/2016
on the file of the High Court)

AND

S.Chandramouli, S/o. Vishwanatham, Occ: Business R/o. Flat No. 403, 4th
Floor, Chandra Residency, H.No. 1-7-572/4, Zamistanpur, Musheerabad,
Hyderabad.

Respondent
(Respondent in -do-)

Petition under Section 151 of CPC praying that in the circumstances stated in the accompanying affidavit, the High Court may be pleased to extend the time by condoning the delay of 11 days in payment of costs of Rs.1,000/- to the City Civil Court Legal Services Authority in OS. No 455 of 2010, on the file of the Court of XIII Additional Chief Judge (Fast Track Court) Hyderabad as directed by this Honourable Court in the interest of justice, pending disposal of CRP.No. 1237/2016 on the file of the High Court.

The Petition coming on for hearing upon perusing the petition and grounds filed herein and the orders of the High Court dated. 04-03-2016, 28-03-2016 19-04-2016 made in CRPMP.No. 1562/2016 and the order dt. 23-12-2021 made in CRP.No. 1237/2016 and upon hearing the arguments of Sri S.A.Razzaq, Advocate for the Petitioner and of Sri P.Giri Krishna, Advocate for the Respondent, the Court made the following

ORDER:

" Heard the submission of learned counsel for the petitioner/defendant as well as learned counsel for the respondent/plaintiff.

Learned counsel for the petitioner states that this Court, while disposing of C.R.P.No.1237 of 2016, dated 23.12.2021, directed the petitioner/defendant to pay costs of Rs.1,000/- (Rupees one thousand only) to the City Civil Court Legal Services Authority, Hyderabad, within a period of two weeks and the petitioner paid the said costs within a period of two weeks from the date of receipt of a copy of the said order, but the other side took objection that the costs were not paid within the time stipulated by this Court and, therefore, the petitioner/defendant approached this Court by way of the present application.

Learned counsel also brought to the notice of this Court, the order that is rendered by the Court of XXVI Additional Chief Judge, City Civil Court, Hyderabad, in O.S.No.455 of 2010, dated 07.06.2022. The said order reads as under:

"Plaintiff counsel and defendant counsel present.

DW1' present. The plaintiff counsel seeks to file an extension petition before the Hon'ble High Court as he deposited the costs on 17.01.2022 with a delay of about ten days, which is also objected by the defendant counsel and stated that he cannot cross-examine the witness since costs are not deposited within time as ordered in C.R.P.No.1237 of 2016, dated 23.12.2021. Hence, at request of plaintiff's counsel, call on 21.06.2022 to enable him to file extension of time petition in Hon'ble High Court."

Having regard to the facts and circumstances of the case, as the suit is of the year 2010 and it requires expeditious disposal, this Court directed the petitioner/defendant to adduce evidence within a period of two months without seeking any further extension of time. However, again the present application is filed in respect of payment of costs.

While filing applications like this, the parties are not only wasting their time, but also valuable time of the Court. However, having regard to the fact that the compliance of order of this Court is made by payment of costs within two weeks, the City Civil Court, Hyderabad, is directed to take up the task of completion of the trial and dispose of the case on merits without looking into the time fixed for payment of costs and the compliance thereof."

SD/- T. KRISHNA KUMAR
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. The XIII Additional Chief Judge (Fast Track Court) Hyderabad.
2. The City Civil Court Legal Services Authority, Hyderabad.
3. One CC to Sri S.A.Razzaq, Advocate(OPUC)
4. One spare copy.

SAH

HIGH COURT

Dr.CSLJ

DATED: 03-08-2022

ORDER

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IN
CRP.NO. 1237 OF 2016

DIRECTION

