

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

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

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
AND
THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

CIVIL MISCELLANEOUS APPEAL NO: 74 OF 2008

Appeal under order 43 rule 1 of CPC against the order and Decree dated 14.08.2007 passed in O.A.NO.791 of 2006 in O.S.NO.146 of 2003 on the file of the court of the XII Addl Chief Judge, city civil court (FTC) Hyderabad

Between:

Y. JAGAN MOHAN REDDY, S/o.Y. Linga Reddy Business R/o.Plot No.41,
M.L.A.Colony, Road No.12,

...APPELLANT

AND

1. Y. PRATHAP REDDY, S/o.Y.Linga Reddy Business R/o.3-10-1, Ramanthapur Hyderabad
2. Y. Chandrakanth Reddy, S/o.Y.Linga Reddy Business R/o.3-4-770, Barkathpura, Hyderabad
3. Abid Pasha, S/o. Not known to the appellant Business R/o.Moghul Function Hall, Engine Bowli Hyderabad
4. S. Bushi Reddy, S/o.Not known to the appellant Business R/o.Sri Sai Wines, Engine Bowli, Falaknuma

...RESPONDENTS

I.A. NO: 1 OF 2008(CMAMP. NO: 167 OF 2008)

Petition under order 39 Rule 1&2 R/W Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased restrain the respondents No.3 & 4 from interfering with his peaceful possession and enjoyment over the suit Schedule property

I.A. NO: 2 OF 2008(CMAMP. NO: 168 OF 2008)

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 suspend the operation of order dated 14.8.2007 in I.A.No.791 of 2006 in O.S.No.146 of 2003 passed by the XII Additional Chief Judge(FTC), City Civil Court at Hyderabad

I.A. NO: 3 OF 2008(CMAMP. NO: 169 OF 2008)

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 receive typed copies of two registered sale deed dated 29.11.2006 bearing documents Nos.25765 and 25766.

Counsel for the Appellant: SRI. VIVEK JAIN

Counsel for the Respondents 3&4: SRI V VENKATARAMANA (NOT PRESENT)

Counsel for the Respondent No.1: None appeared

The Court made the following: JUDGMENT

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

CIVIL MISCELLANEOUS APPEAL No.74 of 2008

JUDGMENT: (Per Hon'ble Dr.SA,J)

Heard. Perused the record.

2. The learned counsel for the appellant would submit that he addressed a letter to the appellant seeking instructions and even though said letter was delivered to him, he did not turn up.

3. It is an old C.M.A pending since 2008. The appellant is supposed to be diligent in pursuing the matter.

4. In view of these circumstances, this Civil Miscellaneous Appeal is dismissed for default. Interim suspension granted by this Court in C.M.A.M.P.No.168 of 2008 stands vacated.

Miscellaneous petitions pending, if any, shall stand closed.

No order as to costs.

//TRUE COPY//

SD/- K.SRINIVASA RAO
JOINT REGISTRAR

SECTION OFFICER

To,

1. The XII Addl Chief Judge, City Civil Court, (FTC) Hyderabad
2. One CC to SRI. VIVEK JAIN Advocate [OPUC]
3. One CC to SRI. V VENKATARAMANA Advocate [OPUC]
4. Two CD Copies

KKS

CHR

HIGH COURT

DATED:08/12/2022

JUDGMENT

CMA.No.74 of 2008



DISMISSING OF THE CMA
FOR DEFAULT
WITHOUT COSTS

⑥
CPR
05/06/23