

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

**MONDAY, THE EIGHTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HONOURABLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI**

CIVIL MISCELLANEOUS APPEAL NO: 1325 OF 2012

Appeal Under Order 43 Rule 1 of CPC against the Judgment/Decree in I.A.No.960 of 2011 in O.S.No.189 of 2011 dated 29.10.2012 on the file of the Court of the II Additional Chief Judge, City Civil Court, Hyderabad.

Between:

Sri Pavithra Engineers Pvt. Ltd., Shalivahana Nagar, Hyderabad-73, Rep.by its Chairman C.V.Subba Rao

...Appellant/Petitioner/Plaintiff

AND

1. Maddineni Srinivasa Rao, S/o.M.Sitaramaiah, aged 39 years, Occ:-Business, R/o.Flat No.404, Block No.303, SMR Vinoy Acropolis Apts, Opp.Jayabheri, Silicon County, Madhapur, Kondapur, R.R.District.
2. State Bank of Hyderabad, Sanjeev Reddy Nagar Branch, Hyd., Rep. by its Branch Manager

(R2 not necessary party)

...Respondents/Respondents/Defendants

Counsel for the Appellant: SRI P. RAJA SRIPATHI RAO

Counsel for the Respondents: NONE APPEARED

The Court delivered the following: JUDGMENT

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI**

C.M.A.No.1325 OF 2012

JUDGMENT:

This appeal is filed aggrieved by the order, dated 29.10.2012 passed in I.A.No.960 of 2011 in O.S.No.189 of 2011 by the II Additional Chief Judge, City Civil Court, Hyderabad, wherein the subject I.A. was filed under Order XXXIX Rules 1 and 2 of CPC for grant of temporary injunction restraining the respondent No.1, his men, agents, etc., from claiming bills and realisation of amount from contractors more specifically from Krishi constructions, E-73, Ground floor, Maduranagar, Sanjeeva Reddy Nagar, Hyderabad for the works executed in Madunuru Village and Madunuru Mandal, Nizamabad District pending disposal of the suit, was dismissed and interim order dated 29.03.2011 is vacated.

2. Heard the learned counsel for the appellant and perused the record.

3. Learned counsel for the appellant would submit that in the subject suit, trial had already been commenced.

4. Since trial has been commenced in the subject suit, the Court below is directed to expedite the trial in the subject suit.

5. With the above direction, the appeal is disposed of.

Miscellaneous Petitions, if any, pending in this appeal shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/-K.SRINIVASA RAO
JOINT REGISTRAR


SECTION OFFICER

To,

1. The II Additional Chief Judge, City Civil Court, Hyderabad.
2. One CC to Sri P. Raja Sripathi Rao, Advocate [OPUC]
3. Two CD Copies
4. One Spare Copy

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HIGH COURT

DATED: 18/04/2022

JUDGMENT

CMA.No.1325 of 2012



DISPOSING OF THE CMA

15/11/2022
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