

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

**FRIDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE SAMBASIVARAO NAIDU

CIVIL REVISION PETITION NO: 456 OF 2022

Petition under Article 227 of the Constitution of India, to allow present civil revision Petition thereby setting aside the impugned order dated 25th November, 2021 passed in IA No.234 of 2019 in OS No.389 of 2015 by the learned VIII Additional District Judge, RR District, At LB Nagar.

Between:

1. Mr. Venu Gopal Baldawa, S/o Late Satyanarayana Baldawa aged about 55 years occp Business
2. Mrs. Manju Baldawa, W/o Mr. Venu Gopal Baldawa aged about 52 years occ Housewife

Both Resident of H. No. 14-2-332-2/A, Gyanbagh colony, Hyderabad

...PETITIONERS

AND

Mrs. Reddy Srinivas Reddy, s/o. late Ramreddy aged about 48 years occ Business R/o. Plot No. 16, Laxmi Vihar phase-II, Nallangandla Village, Serilingampally Mandal, GHMC, Serilingampally, Ranga Reddy District.

...RESPONDENTS

IA NO: 1 OF 2022

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 impugned orders dated 25th November, 2021 passed in IA No.234 of 2019 in OS No.389 of 2015 by the learned VIII Additional District Judge, RR District, At LB Nagar, pending disposal of the Revision in interest of justice.

Counsel for the Petitioners: SRI. AADESH VARMA

Counsel for the Respondent: ^{SPA} V.S-SUDHAKAR

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE SAMBASIVA RAO NAIDU

CIVIL REVISION PETITION No.456 OF 2022

ORDER :

This petition is filed by the petitioners who are the defendants in O.S.No.389 of 2015 filed under Order XIV Rule 5 C.P.C. seeking a direction to the Court below for framing appropriate issues on the ground that the Court below did not consider the pleadings and no proper issues were framed. Having perused the order impugned in the present revision and having perused the record it is found that there is some force in the arguments advanced by the counsel, because in spite of number of contentions raised by the petitioners in the written statement, formal issues have been framed without covering the entire contest of the petitioners herein.

2. Therefore, this is a fit case for remanding the matter to the trial Court for framing appropriate issues. Accordingly, this revision is disposed of.

3. **In the result**, this revision is disposed with a direction to the Court below for framing appropriate issues, keeping the pleadings in view and the arguments advanced while submitting earlier interlocutory application. Since the suit is 2015, the Court below shall complete the exercise of framing of issues afresh and dispose of the matter within a period of 6 months from the date of receiving copy of this Order.

As a sequel, pending Miscellaneous Applications, if any, shall stand closed.

Sd/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VIII Additional District Judge RR District at LB Nagar.
2. One CC to SRI. AADESH VARMA, Advocate [OPUC]
3. One CC to SRI. V S SUDHAKAR, Advocate [OPUC]
4. **Two CD Copies**

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HIGH COURT
DATED:03/03/2023

ORDER

CRP.No.456 of 2022



DISPOSING OF THE CRP

⑥ Copies
Sm
12/4/23