

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

**TUESDAY, THE ELEVENTH DAY OF JULY  
TWO THOUSAND AND TWENTY THREE**

**PRESENT**

**THE HON'BLE SRI JUSTICE SAMBASIVARAO NAIDU**

**CITY CIVIL COURT APPEAL NO: 269 OF 2018**

Appeal Under Section 96 r/w Order 41 rule 1 of C.P.C against the Judgment and Degree Dated 8/6/2018 made in EA.No.71 of 2018 in E.P. No.48 of 2017 in O.S. No. 110 of 2007 on the file of the Court of the III Additional Chief Judge, City Civil Court at Hyderabad.

**Between:**

Mohammed Azam Moinuddin, S/o. Late Mohd Zahooruddin, Age 73 years, Occ: Business, R/o 20-7-513, Fateh Darwaza, Hyderabad, T.S

**...APPELLANT/CLAIM PETITIONER**

**AND**

1. Heh Nizam, Rep. by its Awakf Committee Through its secretary Mohd. Kasim Raza, S/o. Late. Kasim Raza, age about 71 years, Having registered office behind Judi Mosque, King Koti Hyderabad, T.S.
2. Mohammed Mouinuddin, S/o. Late. Zahooruddin (Died) per LRs
3. Zeenath Begum, W/o. Late. Mohd Mouinuddin, Age: 66 years, Occ: Household, R/o. 19-3-201/44, Jahanuma Hyderabad.
4. Neseem Sultana, W/o. Late. Mujahid Ali Khan, Age: 42 years, Occ: Household, R/o. 19-3-201/44, Jahanuma Hyderabad.

**...RESPONDENTS/DHr/JDR NO.1 TO 3**

**IA NO: 1 OF 2018**

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings in EP.No. 48/2017 in OS.No. 110/2007 pending on the file of III Additional Chief Judge, City Civil Court at Hyderabad till the disposal of the appeal.

**Counsel for the Appellant: SRI. R UMENDER KUMAR**

**Counsel for the Respondent No.1: SRI. AARIFA IMRAN KHAN**

**The Court made the following: JUDGMENT**

**THE HONOURABLE SRI JUSTICE SAMBASIVA RAO NAIDU**

**C.C.C.A NO.269 OF 2018**

**JUDGMENT :**

None appeared for the appellants. On the face of the proceeding sheet, even on the previous dates of hearing, there was no representation for the appellant and that on 04.07.2023 at the request of learned counsel this Court granted adjournment with condition order. In spite of such conditional order, today none appeared for the appellant. Thus, it appears that the appellant is not interested to prosecute the matter vigilantly and diligently anymore. Therefore, this appeal is liable to be dismissed for non-prosecution.

2. Accordingly, this appeal is dismissed for non-prosecution.

Pending miscellaneous applications, if any, shall stand closed. No costs.

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

**//TRUE COPY//**

  
**SECTION OFFICER**

To,

1. The III Additional Chief Judge, City Civil Court at Hyderabad (with records)
2. One CC to Sri. R. UMENDER KUMAR Advocate [OPUC].
3. One CC to Sri. AARIFA IMRAN KHAN, Advocate [OPUC].
4. Two CD Copies.

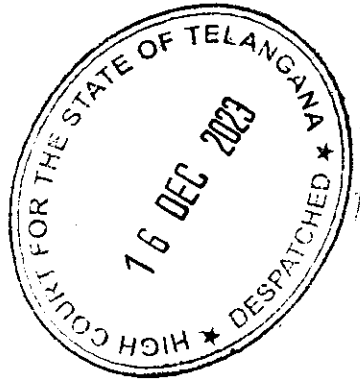


HIGH COURT

DATED: 11/07/2023

JUDGMENT

CCCA.No.269 of 2018



DISMISSING THE APPEAL FOR NON PRESECUTION WITHOUT COSTS

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6/12/23  
HVS