

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR. JUSTICE G.RADHA RANI

CIVIL MISCELLANEOUS APPEAL NO: 149 OF 2018

Appeal Under Section 43 Rule 1(r) of CPC against the order and decree dated 24-10-2017 made in I.A.No.446 of 2017 in O.S.No.741/2017 on the file of the Court of the XVII Additional Senior Civil Judge, City Civil Court at Hyderabad.

Between:

1. Shabana Khatoon W/o. Ayub Khan, Aged about 47 years, Occ- Household, R/o. Flat No, 301, 3rd Floor of RAYAN ESTATE Forming Part of premises No. 16-3-866, Chanchalguda, Hyderabad.
2. Ayub Khan, S/o. Sardar Khan, Aged about 47 years, Occ- Household, R/o. Flat No. 301, 3rd Floor of RAYAN ESTATE Forming Part of premises No. 16-3-866, Chanchalguda, Hyderabad.

...APPELLANTS/RESPONDENTS/DEFENDANTS

AND

Mrs. Faiqa Tasneem W/o. Syed Khundmeer, Aged about 47 years, Occ- Household, R/o. H.No. 16-3-866, Chanchalguda, Hyderabad, Rep. by his GPA Holder Syed Khundmeer S/o. Syed Chandmiya, Aged about 50 years, Occ- Civil Engineer, R/o. H.No.16-3-866, Chanchalguda, Hyderabad.

...RESPONDENT/PETITIONER/PLAINTIFF

IA NO: 2 OF 2018

Petition under Section 5 of limitation Act praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of 8 days in preferring the above appeal.

IA NO: 1 OF 2018

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 operation of the order and decreetal order dated 24-10-2017 passed in IA.No. 446 of 2017 in OS.No. 741 of 2017 on the file of the XVII Additional Senior Civil Judge, City Civil Court at Hyderabad.

Counsel for the Appellants: Sri Mohd Shujauddin

Counsel for the Respondent: Sri M. M. Ali

The Court delivered the following JUDGMENT:

THE HON'BLE Dr.JUSTICE G.RADHA RANI

CIVIL MISCELLANEOUS APPEAL No.149 of 2018

JUDGMENT:

This Civil Miscellaneous Appeal is filed by the appellants-defendants aggrieved by the order dated 24.10.2017 passed in I.A.No.446 of 2017 in O.S.No.741 of 2017 by the XVII Additional Senior Civil Judge, City Civil Court at Hyderabad, as the interim injunction application filed by the respondent-plaintiff was allowed.

2. When the matter is taken for hearing, it was reported that O.S.No.741 of 2017 itself was dismissed on 04.01.2023 by the XVII Additional Senior Civil Judge, City Civil Court at Hyderabad and the appeal against the order in I.A.No.446 of 2017 in O.S.No.741 of 2017 would become infructuous.

3. In view of the above submission, this civil miscellaneous appeal is closed as infructuous. No costs.

Miscellaneous petitions, if any pending shall stand closed.

Sd/- K. SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XVII Additional Senior Civil Judge, City Civil Court at Hyderabad.
2. One CC to Sri Mohd Shujauddin, Advocate [OPUC]
3. One CC to Sri M. M. Ali, Advocate [OPUC]
4. Two CD Copies

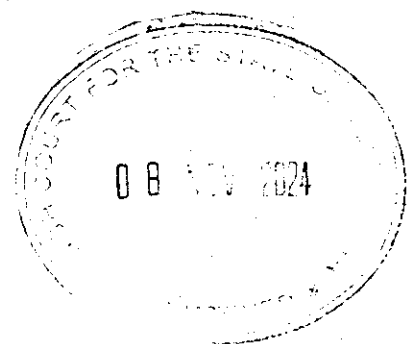
VH/gh

HIGH COURT

DATED: 09/07/2024

JUDGMENT

CMA.No.149 of 2018



**CLOSING THE CMA
AS INFRACTUOUS**

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