

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE No: Civil Revision Petition No.1028 of 2024

PROCEEDING SHEET

S. No.	DATE	ORDER	OFFICE NOTE
2.	14.02.2025	<u>PSK, J</u> <u>I.A.Nos.2 and 3 of 2024</u> (condone delay petition and review petition) Mr. A.Sameer Kumar Raju, learned counsel for the applicants (respondents in the CRP) appears through video conference. Mr. Ch.Srinivas, learned counsel for the respondents (petitioners in the CRP). The present matter is taken up for consideration of I.A.No.3 of 2024 along with I.A.No.2 of 2024. I.A.No.3 of 2024 is filed seeking review of order dated 22.03.2024, passed by this Court in Civil Revision Petition No.1028 of 2024. I.A.No.2 of 2024 is filed seeking to condone the delay of 121 days in filing I.A.No.3 of 2024. Vide the impugned order, the review of which has been sought for, this Court, while disposing of the Civil Revision Petition, has made the following observations: “Given the said submission by the learned counsel for the petitioners, this Court is of the opinion that the said solution proposed by the learned counsel for the petitioners is most innocuous as no prejudice	

		would be caused to the interest of the respondents/plaintiffs if the meeting is held on 23.03.2024. However, all the decisions that would be taken in the said General Body Meeting and also the elections that would be convened on the said date however shall not be acted upon till the vacate stay petition is decided by the Court below or as directed by the Court below on the said vacate stay petition. Needless to mention that the respondents/plaintiffs also would be permitted to participate in the General Body Meeting and they would not be in any manner restricted from participating in the proceedings to be held in the General Body Meeting and the proposed elections to be held on 23.03.3024. The entire decision would be subject to the outcome of the vacate stay petition and also the final outcome of the said Suit.” The CRP was disposed of at the admission stage, on 22.03.2024, taking into consideration the peculiar facts where the General Body Meeting was proposed to be convened on 23.03.2024 and an assurance was given by learned counsel for the respondents that the decisions that would be taken in the said General Body Meeting and also the elections that would be held on the said date would	
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		not be given effect to till a decision is taken by the court below in the vacate stay petition and also the suit. The General Body Meeting was held on 26.03.2024 <i>i.e.</i>, the fourth day after disposal of the CRP. I.A.No.3 of 2024 has now been filed with a delay of more than 121 days. During the course of deliberation, it has not been disputed by learned counsel for the applicants seeking review that the parties were not aware of the order passed by this Court on 22.03.2024 in the CRP. It is not even the case of the respondents that the direction given by this Court while disposing of CRP.No.1028 of 2024 has been acted upon, inasmuch as the parties have been permitted to participate in the General Body Meeting held on 26.03.2024 and also the elections that were held on the said date. However, the grievance of the applicants now seems to be that the Court below is not taking up the matter and deciding the same either on the vacate stay petition or on the merits of OS.No.8 of 2024 and therefore, they have now filed I.A.No.3 of 2024 seeking review of the order passed in the CRP along with the condone delay petition. Another interlocutory application <i>viz.</i>, I.A.No.4 of 2024 has also been filed with a prayer for suspension	
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		of the said order. At the outset, we find that no sufficient grounds have been made out by the applicants calling for interference of this Court to the impugned order while exercising the review jurisdiction. The grounds for review, as primarily restricted in Order XLVII Rule 1 of Civil Procedure Code, 1980 (CPC), does not seem to be available to the applicant in the given factual matrix of the case. Moreover, this Court also does not find any strong case made out by the applicants in not approaching the Court primarily within a reasonable period of time in spite of being fully aware of the order passed by this Bench in CRP.No.1028 of 2024. For the aforesaid reasons, IA.No.2 of 2024 fails and is accordingly rejected. As a consequence, I.A.No.3 of 2024 also stands rejected. <u>PSK, J</u> LUR	
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