

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

**FRIDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION NO: 3038 OF 2025

Petition under Article 227 of the constitution of India aggrieved by the Order dated 24/03/2025 Passed in I.A. No. 955 of 2024 in O.S.No. 140 of 2016 on the file of the Court of the XIX Additional Senior Civil Judge, City Civil Court at Secunderabad.

Between:

1. P.Prameela, W/o P.Ravi Narayan Aged about 72 years, Occ. House maker R/o H.No. 6-1-104 and 105/2, Walker Town Padmarao Nagar, Secunderabad.
2. P.Ravi Narayan, S/o Late P.Devaiah Aged about 81 years, Occ. Retd.Employe R/o H.No. 6-1-104 and 105/2, Walker Town Padmarao Nagar, Secunderabad.

...Petitioners/Petitioners /Defendants

AND

M/s Manohar Constructions, Rep by Manohar Rao S/o M.Sudershan Rao Aged about 59 years, Occ. Managing Partner R/o 1001, 10th Floor, Babu Khan Estate Basheerbagh, Hyderabad.

...Respondent/Respondent/Plaintiff

IA NO: 1 OF 2025

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 stay all further proceedings in O.S.No.140 of 2016 on the file of the XIX Additional Senior Civil Judge, City Civil Court at Secunderabad pending disposal of the main revision in the interest of justice.

Counsel for the Petitioners:SRI M RAMA RAO

Counsel for the Respondent: SRI S MALLA RAO

The Court made the following: ORDER

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

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

C.R.P.No.3038 OF 2025

12.12.2025

Between:

P.Prameela & another

...Petitioners

A n d

M/s Manohar Constructions,
Rep. by Manohar Rao

....Respondent

ORDER:

Heard Mr. M. Rama Rao, learned counsel for the petitioners
and Mr. S.Malla Rao, learned counsel for the respondent. Perused
the record.

2. The instant civil revision petition is one which has been filed
assailing the order dated 24.03.2025 passed by the learned
III-Additional Senior Civil Judge (FAC IX-Additional Senior Civil
Judge), City Civil Court, Secunderabad in I.A.No.955 of 2024 in
O.S.No.140 of 2016.

3. The brief facts which led to the filing of the civil revision petition are that the petitioners herein are the defendants before the trial Court in the suit. The respondent herein, who is plaintiff, had filed the suit for recovery against the petitioners herein for an amount of Rs.8,06,000/-, being the amount which was admittedly paid as a refundable security deposit for giving property for development by the petitioners.

4. The suit is one which was filed in the year 2016. After much prolonged proceedings being drawn, the suit finally came up for final arguments since 22.02.2024, on which date the plaintiff's argument was concluded and defendants' arguments could not be completed and they have been filing IAs after IAs. On some pretext or the other, the arguments could not be completed. Finally, the present IA was filed on 10.12.2024 which now stands decided on 24.03.2025 and the present civil revision petition was one which was filed in July, 2025.

5. The learned counsel for the petitioners submits that I.A.No.955 of 2025 filed by the petitioners was seeking permission

to file additional written statement. He submits that certain subsequent developments that transpired were intended to be brought on record, like for instance, the property given for development by the plaintiff was being developed beyond the sanctioned plan. Secondly, there was some consumer dispute which was raised between the parties, all of which, therefore, were necessary to be brought before the trial Court and, therefore, they prayed for filing the additional written statement which was refused by the trial Court by the impugned order, leading to filing of the instant civil revision petition.

6. The learned counsel for the petitioners submits that apart from not considering the fact that no prejudice would have been caused to either of the parties and also the fact that the petitioners have supported their contention citing various judgments but none of which were considered by the trial Court, the impugned order deserves to be interfered with and allowing by the IA the matter needs to be proceeded in accordance with law.

7. However, perusal of the records would go to show that from the very beginning itself the conduct of the petitioners/defendants was not in deciding the matter at the earliest rather they had been adopting a practice of getting the matter protracted repeatedly on one ground or the other. The perusal of the impugned order itself would go to show that from the first instance, the petitioners have been protracting the matter in cross-examining the plaintiff and thereafter they ensured deferment of their evidence for a substantial period of time. Finally, the evidence of the petitioners was also closed on 14.03.2019 and the matter was posted for arguments on 01.04.2019. The petitioners thereafter filed another IA for reopening of their evidence, which too was allowed on 01.04.2019 on condition that in the event if the petitioners do not enter appearance for evidence, their evidence shall be recorded as 'nil'. The petitioners ensured that the chief-affidavit of D.W.1 is filed. However, they along with chief-affidavit filed yet another IA seeking for receiving of certain documents which too stood dismissed on 19.02.2020 and yet the petitioners were not willing to subject themselves to cross-examination. Finally, on 12.07.2022

even after imposing costs, couple of adjournments were granted and thereafter an Advocate-Commissioner was appointed and D.W.1 was cross-examined and his evidence was closed and since he did not intend to lead any further evidence, the matter stood posted for arguments on 29.01.2024 onwards. In between, a few IAs were again filed by the petitioners which too got dismissed and finally this IA for additional written statement was filed which now stands decided.

8. At the outset, this Court is of the firm view that no strong case has been made out calling for interference on the grounds that, firstly the order is a well reasoned order showing the conduct of the petitioners/defendants who were not keen in conclusion of the proceedings. Secondly, for the reason that the grounds the petitioners want to bring on record by way of additional written statement would not have any bearing to the substantive relief sought in the plaint. Thirdly, there is no substantial material shown by the petitioners as to why the petitioners could not move such a petition earlier when things were all within the knowledge that they intended to bring by way of additional written statement.

9. In view of the same, this Court does not find any strong case made out by the petitioners/defendants.

10. The civil revision petition, accordingly, stands rejected.

There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

S MALLIKARJUNA RAO,
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

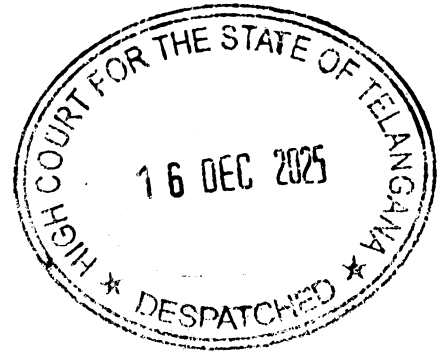
To,

1. The XIX Additional Senior Civil Judge, City Civil Court at Secunderabad
2. One CC to SRI M RAMA RAO, Advocate [OPUC]
3. One CC to SRI S MALLA RAO, Advocate [OPUC]
4. Two CD Copies

ADK

HIGH COURT

DATED:12/12/2025



ORDER

CRP.No.3038 of 2025

**REJECTING THE CRP
WITHOUT COSTS**

6MT
16/12/25