

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

**FRIDAY, THE TWENTY THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE SRI JUSTICE P.SAM KOSHY
CIVIL REVISION PETITION NO: 4280 OF 2025**

Petition under Article 227 of the Constitution of India aggrieved by the Order dated 22-09-2025 Passed in I.A. No. 2210 of 2024 in O.S. No. 1122 of 2014 passed by the X Additional Chief Judge, City Civil Court, Hyderabad.

Between:

Mohammed Abdus Samad, S/o. Mohammed Ayub, aged about 37 years
Business, R/o. H.No. 16-2-867/A/2 Jeevan Yarjung Colony, Saidabad,
Hyderabad-59

...PETITIONER/PROPOSED PLAINTIFF No.2

AND

1. Mohd Abdul Quddus, S/o. Mohd Abdul Khader, aged about 50 years,
Business, R/o H.No. 8-4-51/1 Bandlaguda X Road, Hyderabad.
2. A. Jaihind Reddy, S/o Laxma Reddy aged about 52 years, Cultivator,
R/o.Lamoor Taluq, Maheshwaram, Ranga Reddy District (The Respondent
No.1 is not necessary parties to this CRP)

...RESPONDENTS/DEFENDANTS

I.A. 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 of O.S.No.1122 of 2014 filed before the X Additional Chief Judge, City Civil Court, Hyderabad.

Counsel for the Petitioner(s): Sri. Muhammad Veqar Hussain

Counsel for the Respondent No.1: None

Counsel for the Respondent No.2: Sri B. Venkata Prasad.

The Court made the following: ORDER

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

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION No.4280 of 2025

DATE OF ORDER: 23.01.2026

Between :

Mohammed Abdus Samad,
S/o.Mohammed Ayub,
aged about 37 years, Business,
R/o.H.No.16-2-867/A/2,
Jeevan Yarjung Colony, Saidabad,
Hyderabad - 59.

...Petitioner

AND

Mohd. Abdul Quddus,
S/o.Mohd Abdul Khader,
aged about 50 years, Business,
R/o.H.No.8-4-51/1,
Bandlaguda X Road,
Hyderabad and 1 other.

...Respondents

ORDER:

Heard Mr. Muhammad Veqar Hussain, learned counsel for the petitioner; and Mr. B.Venkata Prasad, learned counsel for the respondent No.2.

2. The instant Civil Revision Petition under Article 227 of the Constitution of India has been filed by the petitioner assailing the

order dated 22.09.2025, in I.A.No.2210 of 2024 in O.S.No.1122 of 2014, passed by the X Additional Chief Judge, City Civil Court, Hyderabad.

3. *Vide* the impugned order, the Trial Court dismissed the aforesaid I.A.No.2210 of 2024 preferred by the petitioner under Order I Rule 10 read with Section 151 of Civil Procedure Code, 1908 (for short 'CPC') seeking for his impleadment as plaintiff No.2 in the suit filed by respondent No.1 and also direct respondent No.1 to carry out necessary consequential amendments in the plaint.

4. To under the dispute involved in the present case, it is necessary to appreciate the facts in brief.

5. Respondent No.1 had filed a suit against respondent No.2 seeking for a relief of declaration of title and recovery of possession in respect of the suit schedule property. The claim of the respondent No.1 against respondent No.2 was the Memorandum of Understanding (for short 'MoU') dated 30.12.2015, whereby it was mutually agreed upon, though orally between the petitioner and respondent No.1 that it shall be the petitioner's responsibility in taking care of all the disputes pending before the different Courts

of law and to resolve the disputes. It is contended that on the basis of the said mutual oral agreement, the petitioner hired concerned lawyers to contest his cases, for which the entire expenses were also borne by the petitioner. Subsequently, in terms of the oral agreement, the petitioner had paid an advance security deposit of Rs.1,00,000/- by way of cash to respondent No.1. Thereafter, at the time of execution of the MoU, another sum of Rs.20,00,000/- was paid, for which a separate receipt was drawn.

6. According to the petitioner, it was agreed upon between the petitioner and respondent No.1 that after the settlement and clearance of all the disputes and litigation, in the suit schedule property respondent No.1 would be entitled to retain 30% of share and 70% of share shall be given over to the petitioner. Later on, it was contended that respondent No.1 had further given away 30% of share which fell in his favour to the petitioner for an additional sale consideration of Rs.16,00,000/-. It is contended that in spite of repeated requests being made by the petitioner, respondent No.1 has not acceded to the request of vacating the premises which led to filing of the suit O.S.No.3811 of 2023 before the XIX Junior Civil Judge, City Civil Court, Hyderabad, by the petitioner.

7. Subsequently, respondent No.1 is said to have entered his appearance before the XIX Junior Civil Judge opposing the said suit filed by the petitioner. However, later on, the petitioner and respondent No.1 arrived at a compromise and the matter was referred to the Lok Adalat and a compromise award was passed disposing of the suit O.S.No.3811 of 2023. Meanwhile, however, the present suit O.S.No.1122 of 2014 continued insofar as its proceedings are concerned, and it is only at a much belated stage that the petitioner now thought of getting himself impleaded in this suit vide I.A.No.2210 of 2024 and that too by getting himself impleaded as plaintiff No.2, which stands dismissed by the Trial Court.

8. In the given facts of the case, what needs to be appreciated is 'whether the claim of the petitioner of getting himself impleaded as plaintiff No.2 has been rightly dismissed by the Trial Court or in other words whether the dismissal of the I.A.No.2210 of 2024 by the Trial Court was justified, legal and proper?'

9. What needs to be considered at this juncture is that the suit filed by respondent No.1 i.e. O.S.No.1122 of 2014 is with a relief of

declaration of title and recovery of possession. This in other words means that respondent No.1 firstly is not in possession of the suit schedule property and, secondly, he is trying to establish his right over the property by seeking a declaration of title over the same. The suit is one which is pending consideration for about 12 years now and it is not the case of the petitioner that he was not aware of the litigation between respondent No.1 and respondent No.2 (plaintiff and defendant in O.S.No.1122 of 2014).

10. The dispute between the petitioner and respondent No.1 is again arising out of a transaction that is strictly *inter se* between the petitioner and respondent No.1. The same again arises out of a so-called contract entered into between the petitioner and respondent No.1, and the so-called dispute already stands agitated before a Court of law, where the petitioner himself was plaintiff in O.S.No.3811 of 2023 and which has finally led to the passing of an compromise award by the Lok Adalat. The petitioner, as such, does not have any transaction of any nature either contractual or non-contractual with the respondent No.2, who is the defendant before the Trial Court. The petitioner also as such does not claim for any relief against respondent No.2. The nature of evidence which

respondent No.1 would be required to establish his case is against respondent No.2 and the same is entirely different than the so-called evidence which the petitioner would be required to establish his case against respondent No.1. The transaction that the respondent No.1 / plaintiff has with the respondent No.2 / defendant in O.S.No.1122 of 2014 is entirely different than the nature of transaction which the present petitioner is said to have entered upon with the respondent No.1. Thus, for an independent agreement or transaction entered into between the petitioner and respondent No.1, the petitioner cannot be permitted to be impleaded as a necessary party, that too, as another plaintiff in a suit which deals with an altogether different transaction and contractual right.

11. Further, having perused the impugned order passed by the Trial Court it is reflected that the Trial Court has reached to a justified conclusion that in the event if the petitioner's application is allowed, it could lead to widening of the scope of the dispute which otherwise is not permissible under law. Another reasoning given by the Trial Court which appears to be perfectly justified is the fact that in the event if respondent No.1 / plaintiff's plaint or suit is

dismissed / rejected, the petitioner's claim in that situation against the respondent No.2 / defendant would not survive. Even otherwise the petitioner has not claimed for any relief against the respondent No.2 / defendant. Thus, the impleadment of the petitioner as plaintiff No.2 would not in any case improve or weaken the case of the petitioner, or for that matter the respondent No.2 / defendant.

12. In the given factual matrix of the case, this Court is of the firm view that the petitioner as such does not have a *lis* with the respondent No.2 against whom the respondent No.1 has filed O.S.No.1122 of 2014. Therefore, the Trial Court is fully justified in dismissing the I.A.No.2210 of 2024 filed by the petitioner herein seeking for his impleadment as plaintiff No.2 in O.S.No.1122 of 2014. Therefore, the present Civil Revision Petition thus being devoid of merit, deserves to be and is accordingly, dismissed.

13. As a sequel, miscellaneous petitions pending if any, shall stand closed. However, there shall be no order as to costs.

SD/- M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

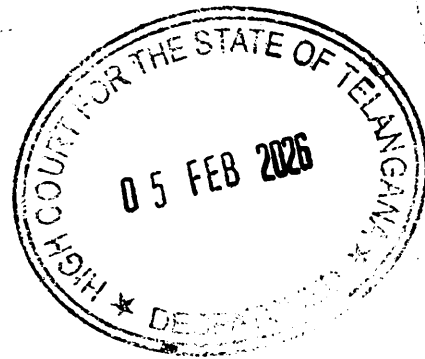
To,

1. The X Additional Chief Judge, City Civil Court, Hyderabad((with records If any)
2. One CC to SRI. MUHAMMAD VEQAR HUSSAIN Advocate [OPUC]
3. Two CD Copies

Jks.

HIGH COURT

DATED: 23/01/2026



ORDER

CRP.No.4280 of 2025

DISMISSING THE CRP

⑤ - JKS
5/2/26