

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE: S.A.No.108 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
	26.02.2026	<p><u>RY, J</u></p> <p>The Second Appeal is filed by the appellant-defendant Nos.1 and 2 aggrieved by the judgment and decree dated 15.12.2022 passed in A.S.No.13 of 2019 by the learned Principal District and Sessions Judge at Jogulamba Gadwal (First Appellate Court), reversing the judgment and decree dated 25.06.2015 in O.S.No.17 of 2007 on the file of the learned Senior Civil Judge at Gadwal (Trial Court) wherein a suit filed by the respondent Nos.1 herein-plaintiff seeking declaration of title with respect to the land in Sy.No.329 extent of Ac.9-05 guntas and Sy.No.357 extent Ac.5-05 guntas situated at Poodur Village of Gadwal Mandal and to declaring that the proceedings of D3 in file No.C/65/2005 and C/527/06, dated 25.02.2006 and C/1163/2006 dated 04.04.2006 basing on the gift deed No.1169/06 dated 21.03.2006 as null and void was dismissed by the trial Court and reversed by the First Appellate Court.</p> <p>Upon dismissal of the suit, the respondents-plaintiffs filed A.S.No.13 of 2019, which has been allowed and the suit has been decreed. Aggrieved by the same, the Second Appeal is preferred with the following substantial questions of law for consideration:-</p> <ol style="list-style-type: none">1. Whether the plaintiff's suit for declaration of	

title and declaration of gift deed No.1169/06 dated 21.03.2006 is maintainable without seeking relief of declaration of registered sale deed No.991/80 dated 07.07.1980 (Ex.A1/B1), sale deed dated 29.01.1981 (Ex.B2) & form No.13-B dated 25.02.2006 (Ex.B4) as null and void?

2. Whether the Ex.B4 certificate issued in form No.IV, 13 (B) of the ROR Act, after collecting stamp duty and registration fee is valid and the same confers title to the appellants?
3. Whether it is necessary to examine MRO without considering the presumption available under Section 114 illustrations (e) and (f) of the Indian Evidence Act, 1872?
4. Whether findings of the First Appellate Court with respect to title, benami transactions and Ex.B4 are perverse?

Admit.

Call for records from concerned Courts.

List on 09.04.2026.

RY,J

I.A.No.1 of 2023

Interim order granted earlier shall stand extended till the next date of hearing.

RY,J

bj