

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:**THE HON'BLE SRI JUSTICE K. SARATH****SECOND APPEAL NOS: 108 AND 110 OF 2023****S.A.No.108 OF 2023:****Between:**

1. Sri Md. Ibrahim, S/o Sri Abdul Kareem.
2. Sri Md. Hafeez, S/o Sri M.D. Ibrahim.

Appellants/Defendants 1 & 2**AND**

1. Sri Mohd. Iqbal Ahmed, S/o. Late Shaik Madar Sab, Aged about 51 years,
Occupation: Business, R/o. Gadwal Town, Gadwal, Telangana State.

Respondent/Plaintiff

2. The Mandal Revenue Officer, Gadwal Mandal, Gadwal.
3. The Sub-Registrar, Gadwal.
4. The Collector, Mahabubnagar District. Mahabubnagar.

Respondents/Defendants 3 to 5

Second Appeal under Section 100 CPC against the order dated to allow the appeal by setting aside the Judgment and Decree dated 15-12-2022 passed in A.S. No. 13/2019, on the file of Principal District and Sessions Judge, at Jogulamba Gadwal, reversing the Judgment and Decree dated 25-06-2015 in O.S. No.17/2007 on the file of Senior Civil Judge, Gadwal;

IA NO: 1 OF 2023

Petition under Order 41 Rule 5(1) of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation of Judgment and decree dated 25.06.2015 passed in O.S.No.17/2007 on the file of the Senior Civil Judge, Gadwal, which was reversed in Judgment and Decree dated 15.12.2022 passed in A.S.No. 13/2019, on the file of Principal District and Sessions Judge, at Jogulamba Gadwal, decreeing the suit, during the pendency of above pass, pending disposal of SA 108 of 2023, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Appeal and the grounds filed in support thereof and order of the High Court dated as on 14.03.2023 & 27.03.2023 made in I.A.No.1 of 2023, 13.04.2023, 16.06.2023 & 10.08.2023 made in S.A. and upon hearing the arguments of Sri V. PAVAN KUMAR, Advocate for the Appellants and Sri CH. RAVINDER, Advocate for the Respondent No.1.

S.A.No.110 OF 2023:**Between:**

1. Smt Kamrunnisa Begum, W/o Sri M. D. Ibrahim
2. Sri M. D. Abdul Kareem, S/o Sri M. D. Ibrahim

Appellants/Defendants – 1 & 2

AND

1. Sri Mohd. Iqbal Ahmed, S/o Late Shaik Madar Sab, Occupation Business, R/o Gadwal Town, Gadwal, Telangana State.
2. Sri Mustaq, S/o Late Shaik Madar Sab, Occupation Business, R/o Gadwal Town, Gadwal, Telangana State.
3. Sri Imtiyaz, S/o Late Shaik Madar Sab, Occupation Business, R/o Gadwal Town, Gadwal, Telangana State

Respondents/Plaintiffs

4. The Mandal Revenue Officer, Gadwal Mandal, Gadwal.
5. The Sub- Registrar, Gadwal.
6. The Collector, Mahabubnagar District, Mahabubnagar.

Respondents/Defendants – 3 to 5

Second Appeal under Section 100 CPC against the Judgment and Decree dated 15-12-2022 passed in A. S. No. 15/2019, on the file of Principal District and Sessions Judge, at Jogulamba Gadwal, reversing the Judgment and Decree dated 25-06-2015 in O.S.No.18/2007 on the file of Senior Civil Judge, Gadwal.

IA NO: 1 OF 2023

Petition under Order 41 Rule 5 (1) of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation of Judgment and decree dated 25.06.2015 passed in O. S. No. 18/2007 on the file of the Senior Civil Judge, Gadwal, which was reversed in Judgment and Decree dated 15.12.2022 passed in A. S. No. 15/2019, on the file of Principal District and Sessions Judge, at Jogulamba Gadwal, Pending disposal of SA 110 of 2023, on the file of the High Court.

The appeal coming on for hearing, upon perusing the appeal and the affidavit filed in support thereof and the order of the High Court dated 16.03.2023 & 27.03.2023 made in I.A.No.1 of 2023, 13.04.2023, 16.06.2023 & 10.08.2023 made in S.A. and upon hearing the arguments of Sri V PAVAN KUMAR, Advocate for the Petitioners and Sri CH RAVINDER, Advocate for the Respondent Nos.1 to 3, the Court made the following

ORDER:

At the request of Learned counsels for the both sides, post after three (3) weeks.

List on 29.09.2023.

Interim order granted earlier stands extended till then.

//TRUE COPY//

**SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Senior Civil Judge, Gadwal
2. The Principal District and Sessions Judge, at Jogulamba Gadwal
3. One CC to SRI V PAVAN KUMAR, Advocate [OPUC]
4. One spare copy

HIGH COURT

SK, J

DATED: 08.09.2023

NOTE: LIST ON 29.09.2023

ORDER

SA.Nos.108 AND 110 of 2023

EXTENSION OF INTERIM ORDER

