

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY, THE THIRD DAY OF NOVEMBER
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, decreasing 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 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, 08.09.2023 and 29.09.2023 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, 08.09.2023 and 29.09.2023 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:

Learned counsel for the respondents seeks time.

Post after four (4) weeks.

Post on 01.12.2023.

Till then, interim order granted earlier is extended.

//TRUE COPY//

SD/- MOHD. ISMAIL
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: 03.11.2023

POST ON 01.12.2023



ORDER

SA.Nos.108 AND 110 of 2023

EXTENSION OF INTERIM ORDER