

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TWENTY SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

**THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY
CIVIL REVISION PETITION NO: 634 OF 2026**

Between:

1. Jeevan Rao Kulkarni, S/o. Late Narsing Rao Kulkarni.
2. Praveen Kumar Kulkarni, S/o. Late Narsing Rao Kulkarni.

Petitioners/Appellants

AND

1. Anil Kumar Kulkarni, S/o. Late Govind Rao Kulkarni, aged about 71 years, occ. Agriculture, R/o. Makloor Village, Makloor Mandal, Nizamabad District.
2. Smt. Shashikala Kulkarni, (Died)
3. Kishan Rao Kulkarni, (Died)
4. Nithin Kumar Kulkarni, (Died)
5. Smt. Indira, W/o. Late Narsing Rao Kulkarni, aged about 62 years, Occ. Agriculture, R/o. Makloor Village, Makloor Mandal, Nizamabad District.
6. Rajnish Kulkarni, S/o. Late Kishan Rao Kulkarni, aged about 44 years, Occ. Private Service, R/o. Makloor Village, Makloor Mandal, Nizamabad District.
7. Kulkarni Padmaja, W/o. Late Nithin Kumar Kulkarni, aged about 56 years, Occ. Household, R/o. H.No.121/1, RTC Colony, Opp. to Vijay Public School, Road No. 7, Mubarak Nagar, Nizamabad, Nizamabad District, (T.S.)
8. Smt. Pranava, W/o. Bhargav (D/o. Nithin Kumar Kulkarni), aged about 30 years, Occ. Household, R/o. H.No.121/1, RTC Colony, Opp. to Vijay Public School, Road No. 7, Mubarak Nagar, Nizamabad, Nizamabad District, (T.S.)
9. Kulkarni Srinidhi, D/o. Nithin Kumar Kulkarni, aged about 28 years, Occ. Govt. Teacher, R/o. H.No.121/1, RTC Colony, Opp. to Vijay Public School, Road No. 7, Mubarak Nagar, Nizamabad, Nizamabad District, (T.S.)

Respondents/Respondents

WHEREAS the Petitioners above named through their Advocate Sri V SATYAM REDDY presented this Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to allow the above CRP by setting aside the Order date 05-02-2026 In I.A. No. 176 of 7 2023 in A.S. No. 25 of 20153 on the file of the IV Additional District Judge, at Nizamabad.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri V SATYAM REDDY

Advocate for the Petitioners, directed issue of notice to the Respondents herein to show cause as to why this CIVIL REVISION PETITION should not be admitted.

You viz:

1. Anil Kumar Kulkarni, S/o. Late Govind Rao Kulkarni, aged about 71 years, occ. Agriculture, R/o. Makloor Village, Makloor Mandal, Nizamabad District.
2. Smt. Indira, W/o. Late Narsing Rao Kulkarni, aged about 52 years, Occ. Agriculture, R/o. Makloor Village, Makloor Mandal, Nizamabad District.
3. Rajnish Kulkarni, S/o. Late Kishan Rao Kulkarni, aged about 44 years, Occ. Private Service, R/o. Makloor Village, Makloor Mandal, Nizamabad District.
4. Kulkarni Padmaja, W/o. Late Nithin Kumar Kulkarni, aged about 56 years, Occ. Household, R/o. H.No.121/1, RTC Colony, Opp. to Vijay Public School, Road No. 7, Mubarak Nagar, Nizamabad, Nizamabad District.(T.S.)
5. Smt.Pranava, W/o. Bhargav (D/o. Nithin Kumar Kulkarni), aged about 30 years, Occ. Household, R/o. H.No.121/1, RTC Colony, Opp. to Vijay Public School, Road No. 7, Mubarak Nagar, Nizamabad, Nizamabad District.(T.S.)
6. Kulkarni Srinidhi, D/o. Nithin Kumar Kulkarni, aged about 28 years, Occ. Govt. Teacher, R/o. H.No.121/1, RTC Colony, Opp. to Vijay Public School, Road No. 7, Mubarak Nagar, Nizamabad, Nizamabad District.(T.S.)

are directed to show cause on or before 26.03.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CIVIL REVISION PETITION should not be admitted.

IA NO: 1 OF 2026

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 A.S. No. 25 of 2018 on the file of the IV Additional District Judge, at Nizamabad, pending disposal of CRP No. 634 of 2026, on the file of the High Court.

The Court made the following:

ORDER

Notice before admission.

Learned counsel for the petitioners is also permitted to take out personal notice to the respondents through SPAD and file proof of service in the Registry by the next date of hearing.

It is submitted by the learned counsel for the petitioners that the petitioners have filed an application *vide* I.A.No.176 of 2023 in A.S.No.25 of 2018 on the file of IV Additional District Judge at Nizamabad seeking to receive certain documents but the first appellate

Court, without adjudicating the said I.A along with the first appeal and without properly appreciating the contentions raised in support thereof, erroneously dismissed the I.A. vide impugned order dated 05.02.2026. The learned counsel relied upon the judgment of the Hon'ble Apex Court in *State of Rajasthan v. T.N. Sahani and Ors.*¹ wherein it was held that appellate court must decide an application for producing additional evidence (Order 41, Rule 27 CPC) along with the main appeal, rather than rejecting it independently, to ensure substantial justice.

The issues raised herein can be examined only after filing counter affidavit by the respondents.

In view of the above, there shall be *interim stay* of all further proceedings in A.S.No.25 of 2018 on the file of IV Additional District Judge, at Nizamabad till the next date of hearing.

List on 26.03.2026.

Sd/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The IV Additional District Judge, at Nizamabad.
2. Anil Kumar Kulkarni, S/o. Late Govind Rao Kulkarni, aged about 71 years, Occ. Agriculture, R/o. Makloor Village, Makloor Mandal, Nizamabad District. (by SPAD- along with a copy of petition and memorandum of grounds)
3. Smt. Indira, W/o. Late Narsing Rao Kulkarni, aged about 62 years, Occ. Agriculture, R/o. Makloor Village, Makloor Mandal, Nizamabad District. (by SPAD- along with a copy of petition and memorandum of grounds)
4. Rajnish Kulkarni, S/o. Late Kishan Rao Kulkarni, aged about 44 years, Occ. Private Service, R/o. Makloor Village, Makloor Mandal, Nizamabad District. (by SPAD- along with a copy of petition and memorandum of grounds)

¹ 2001 (10) SCC 619

5. Kulkarni Padmaja, W/o. Late Nithin Kumar Kulkarni, aged about 56 years. Occ. Household, R/o. H.No.121/1, RTC Colony, Opp. to Vijay Public School, Road No. 7, Mubarak Nagar, Nizamabad, Nizamabad District,(T.S.) (by SPAD- along with a copy of petition and memorandum of grounds)
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8. One CC to SRI. V SATYAM REDDY Advocate [OPUC]
9. One spare copy

HIGH COURT

CVBR, J

DATED:27/02/2026

LIST ON 26.03.2026.

NOTICE BEFORE ADMISSION

CRP.No.634 of 2026

INTERIM STAY

