

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

**FRIDAY, THE FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CIVIL REVISION PETITION NO: 1385 OF 2025

Between:

- Late Vijaya Prakash (Died) per LRs,
1. Smt. Bandala Geetha W/o. Late Vijaya Prakash.
2. Smt. Bandala Renuka, W/O. Murali Mohan.
3. Smt B.Srilatha, W/o. Majji Mammadha Rao.
4. Smt Bandala Saritha, W/o. Shilender.
5. Bandala Prashanth, S/o. Late Vijaya Prakash.

Petitioner/JDRS/Defendants 5 to 9

AND

1. Solomon Reddy, S/O .Show Reddy Aged about 70 years, Occ. Business R/O 5-1-32/7/1, Sainagar Sangareddy

...Respondents/DHR/Plaintiff

- Gade Lourdamma (died) by LRS,
2. Raya Annamma sister of Late Gade Lourdamma, W/o. Rayareddy, Aged 78 years, Occ Housewife, R/O.1-/, Mattampally, Nalgonda 508 204.
3. Gade Showrillu, sister of Late Gade Lourdamma, D/o. Jogi Reddy, Aged 71 years, Occ Housewife, R/o. 3-147, St Alphons Convent, Yerrupalem, Khammam, T.S. 507 202.
4. Raya Margaret, sister of Late Gade Lourdamma, /o. Raya Sleeva Reddy, Aged 62 years, Occ Housewife, R/o. 19-28/3, Gouthamnagar, Opp S. Raghavendra Garments, Malkajgiri, K.V. Ranga Reddy District T.S. 500 047.
5. Penta Reddy Sundramma, sister of Late Gade Lourdamma, W/o. Mar Reddy, Aged 58 years, Occ. Housewife, R/o. 1-143, Gattu Singaram, (P), Nalgonda 508 277.

(Respondent No.2 to 5 are not necessary parties to this petition)

Respondents

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 present Civil Revision Petition by setting aside the order dated 22-11-2024 in EA no. 100 of 2024 in EP no. 42 of 2016 in OS no. 28 of 2000 on the file of the III Addl. District Judge, Sangareddy.

IA 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 in EP No. 42 of 2016 on the file of the III Addl. Sessions Judge, Sanga Reddy pending disposal of CRP 1385 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Ms. SAMHITHA NIMMALA Advocate for the Petitioners, Ms. PRATUSHA BOPPANA Advocate for the Respondent No.1 and the Court made the following.

ORDER:

Petitioners/judgment debtors have filed the present Civil Revision Petition against order dated 22.11.2024, passed by the learned III Additional District Judge, Sangareddy, in E.A.No.100 of 2024 in E.P.No.42 of 2016 in O.S.No.28 of 2000.

Heard Mr. Vedula Srinivas, learned Senior Counsel appearing for Ms. Samhitha Nimmala, learned counsel for the revision petitioners/judgment debtors and Mr. B.Nalin Kumar, learned Senior Counsel appearing for Ms. Pratyusha Boppana, learned counsel for respondent No.1/deGREE holder.

Learned Senior Counsel appearing for the petitioners/judgment debtors submits that aggrieved by the

judgment dated 26.02.2008, passed by the learned Special Judge for Trial of Offences under SC/ST (POA) Act –cum- V Additional District and Sessions Judge, Medak at Sangareddy, the judgment debtors filed A.S.No.370 of 2008, but the same was dismissed for non-prosecution on 18.10.2011 and the judgment debtors filed an application seeking to set aside the said order

along with a delay condone application and LR application and the same are pending consideration before this Court. The petitioners/judgment debtors have filed all the documents including oral and documentary evidence and requested that the present Civil Revision Petition be heard along with the applications filed in A.S.No.370 of 2008 in order to avoid conflicting orders and till such time, both the parties be directed to maintain *status quo* in respect of the undelivered portion of the EP schedule property.

Learned Senior Counsel appearing for respondent No.1/deed holder submits that major portion of the EP schedule property has been delivered in favour of the deed holder and only one item of the EP schedule property remains to be delivered and in the event of the judgment debtor

succeeding in A.S.No.370 of 2008 after its restoration, he is entitled to seek restitution of the suit schedule property as per the provisions of Section 144 of the Civil Procedure Code, 1908 (CPC) and he is not entitled to any interim direction in the present Civil Revision Petition.

Having considered the rival submissions made by learned counsel for the respective parties and on perusal of the material available on record, it reveals that major portion of the EP schedule property has been delivered in favour of the decree holder on 01.05.2025 and only one portion of the EP schedule property remains to be delivered. The record further reveals that the application filed by the petitioners/judgment debtors seeking to set aside the order dated 18.10.2011 passed in A.S.No.370 of 2008 along with LR application and delay condone application are pending consideration before this Court.

As the EP schedule property and the schedule property claimed in A.S.No.370 of 2008 are one and the same and the parties are common, in order to avoid conflicting orders, this Court deems it proper to tag this Civil Revision Petition to

A.S.No.370 of 2008 to be heard along with the interlocutory applications filed therein.

Accordingly, Registry is directed to place the matter before the Hon'ble The Chief Justice and after obtaining necessary orders, post this Civil Revision Petition along with I.A.No.1 of 2011 (ASMP.No.2443 of 2011) in A.S.No.370 of 2008.

In view of the urgency expressed by learned Senior Counsel appearing for the petitioners/judgment debtors, Registry is directed to take immediate steps in this regard.

For a period of four weeks, both the parties are directed to maintain *status quo* obtaining as on today in respect of the undelivered EP schedule property.

**SD/-A.PRATHIMA
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The III Addl. Sessions Judge, Sanga Reddy
2. Solomon Reddy, S/o Show Reddy, Occ. Business R/O 5-1-32/7/1, Sainagar Sangareddy
(by RPAD)
3. One CC to SRI SAMHITHA NIMMALA Advocate [OPUC]
4. One CC to SRI PRATUSHA BOPPANA Advocate [OPUC]
5. One spare copy

HIGH COURT

JSR,J

DATED:01/08/2025

ORDER

CRP.No.1385 of 2025

STATUS QUO

