

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY FIRST DAY OF JUNE

TWO THOUSAND AND TWENTY FOUR

:PRESENT:**THE HONOURABLE SRI JUSTICE SUJOY PAUL****IA No. 1 OF 2024****IN****CRP NO: 1396 OF 2024****Between:**

1. Smt. Roopa W/o. D. Srinivas
2. Kumari Rajeshwari D/o. D. Srinivas.

...Petitioners

(Petitioners in CRP 1396 OF 2024
on the file of High Court)

AND

1. Smt. D. Manemma, (died).
2. D. Prakash, S/o. D. Yadaiah, Occ. Employee, R/o H.No.14-10-221 Lower Dhoolpet, Hyderabad 12.
3. D. Prabhu, S/o. D. Yadaiah, Occ. Pvt. Employee, R/o H.No.14-10-221 Lower Dhoolpet, Hyderabad 12.
4. D. Manikya Rao, S/o. D. Yadaiah, Occ. Pvt. Employee, R/o H.No.14-10-221 Lower Dhoolpet, Hyderabad 12.
5. Smt. D. Nirmala, W/o. D. Pramod, Occ. Housewife, R/o H.No.14-10-221, Lower Dhoolpet, Hyderabad 12.
6. Smt. Kantha, D/o. late G. Yadaiah, Occ. House Wife, R/o H.No.14-10-221, Lower Dhoolpet, Hyderabad 12.
7. Manoj, S/o Late Smt. Andalu and Late Ramulu, Occ. Pvt., Work. R/o.H.No.14-10-221, Lower Dhoolpet, Hyderabad 12
8. Smt. Buji @ Haritha, W/o Srinivas, Occ. House Maker. R/o. H.No.14-10-221, Lower Dhoolpet, Hyderabad 12
9. Smt. Vanaja, W/o Dhasharath, Occ. House Maker. R/o. H.No.14-10-221, Lower Dhoolpet, Hyderabad 12

- 10.Raju, S/o Late Krishna, Occ. Barber. R/o. H.No.14-10-221, Lower Dhoolpet, Hyderabad 12
- 11.Jagadish, S/o Late Krishna, Occ. Barber. R/o. H.No.14-10-221, Lower Dhoolpet, Hyderabad 12
- 12.Santhosh, S/o Late Krishna, occ. Barber. R/o. H.No.14-10-221, Lower Dhoolpet, Hyderabad 12
- 13.Bhupesh, S/o Late Krishna, Occ. Barber. R/o. H.No.14-10-221, Lower Dhoolpet, Hyderabad 12
- 14.Annapurna, D/o Late Krishna, Occ. Household. R/o. H.No.14-10-221, Lower Dhoolpet, Hyderabad 12.

(Respondents No.7 to 14 are not necessary in this petition herein)

...Respondents

(Respondents in-do-)

Counsel for the Petitioners : SRI S VIJAYA PRASHANTH

Counsel for the Respondents : ---

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all proceedings in OS No.768/2017, on the file of XVII Addl Senior Civil Judge, City Civil Courts at Hyderabad, pending disposal of CRP No.1396 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

Heard on admission and interim relief.

The application filed by the petitioner under Order 1 Rule 10 of the Code of Civil Procedure was rejected by the Court below without giving any specific finding as to whether the party sought to be impleaded was a necessary party or not. *Prima facie*, in the opinion of this Court, this was minimum exercise required to be done by the Court below and only thereafter the aspect of delay could have been considered.

Considering the aforesaid and subject to hearing the other side, till next date of hearing, the further proceedings in O.S.No.768 of 2017 on the file of XVII Additional Senior Civil Judge, City Civil Court at Hyderabad, shall remain stayed.

//TRUE COPY//

SD/-K.VENKAIAH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XVII Additional Senior Civil Judge, City Civil Court at Hyderabad
2. D. Prakash, S/o. D. Yadaiah, Occ. Employee, R/o H.No.14-10-221 Lower Dhoolpet, Hyderabad 12.
3. D. Prabhu, S/o. D. Yadaiah, Occ. Pvt. Employee, R/o H.No.14-10-221 Lower Dhoolpet, Hyderabad 12.
4. D. Manikya Rao, S/o. D. Yadaiah, Occ. Pvt. Employee, R/o H.No.14-10-221 Lower Dhoolpet, Hyderabad 12.
5. Smt. D. Nirmala, W/o. D. Pramod, Occ. Housewife, R/o H.No.14-10-221, Lower Dhoolpet, Hyderabad 12.
6. Smt. Kantha, D/o. late G. Yadaiah, Occ. House Wife, R/o H.No.14-10-221, Lower Dhoolpet, Hyderabad 12. (2 to 6 By RPAD)
7. One CC to SRI S VIJAYA PRASHANTH Advocate [OPUC]
8. One spare copy

HIGH COURT

SP,J

DATED:21/06/2024

ORDER

**IA NO.1 OF 2024
IN
CRP.No.1396 of 2024**

STAY

