

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SECOND DAY OF MAY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SMT JUSTICE M.G.PRIYADARSINI

IA No. 1 OF 2024

IN

CCCA NO: 74 OF 2024

Between:

K Mukunda, W/o Krishna

...Petitioner/Appellant/Defendant

(Appellant in CCCA 74 OF 2024

on the file of High Court)

AND

1. A Pavan Kumar, S/o Late Maheshwar, Occupation. Business, R/o 11-1-412, Boiguda Kaman, Aghapura, Opposite Mahankali Temple, Hyderabad-500001.
2. A Ravi Kumar, S/o Late Maheshwar, Occupation. Business, R/o 11-1-412, Boiguda Kaman, Aghapura, Opposite Mahankali Temple, Hyderabad-500001.
3. A Kiran Kumar, S/o Late Maheshwar, Occupation Private Employee, R/o.11-1-412, Boiguda Kaman, Aghapura, Opposite Mahankali Temple, Hyderabad- 500001.

...Respondents/Respondents/Plaintiffs

(Respondents in-do-)

Counsel for the Petitioner : SRI AMBATI SAI VARUN

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 pass an order staying all further proceedings in pursuance of the Impugned Judgment and Decree dated 21.12.2023, passed in O.S.24 of 2022 on the file of the IX Additional Chief Judge, City Civil Court, at Hyderabad, pending disposal of CCCA No. 74 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

Notice to respondents through Court process.

Personal notice is permitted.

For filing proof of service, post on 12.06.2024.

This application is filed to grant stay of all further proceedings in pursuance of the judgment and decree dated 21.12.2023 passed in O.S.No.24 of 2022 on the file of the IX Addl. Chief Judge, City Civil Court, at Hyderabad.

Vide impugned judgment and decree dated 21.12.2023, in O.S.No.24 of 2022, the learned Judge , Bhongir decreed the suit filed by the respondents/plaintiffs. Aggrieved by the same, the petitioner/defendant has filed the present appeal.

The suit was filed for declaration, delivery of possession and perpetual injunction in respect of the suit schedule property.

The main contention of the learned counsel for the petitioner/appellant is that the alleged Will Deed, basing on which the suit was decreed is a false and fabricated one and that they have got good grounds to succeed in the appeal.

Considering the submissions made and in view of the specific averments made in the affidavit filed in support of the I.A., there shall be stay of all further proceedings in pursuance of the impugned judgment and decree, till 12.06.2024.

Accordingly, the application is ordered.

//TRUE COPY//

**SD/- P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The IX Additional Chief Judge, City Civil Court, at Hyderabad
2. A Pavan Kumar, S/o Late Maheshwar, Occupation. Business, R/o 11-1-412, Boiguda Kaman, Aghapura, Opposite Mahankali Temple, Hyderabad-500001.
3. A Ravi Kumar, S/o Late Maheshwar, Occupation. Business, R/o 11-1-412, Boiguda Kaman, Aghapura, Opposite Mahankali Temple, Hyderabad-500001.
4. A Kiran Kumar, S/o Late Maheshwar, Occupation Private Employee, R/o.11-1-412, Boiguda Kaman, Aghapura, Opposite Mahankali Temple, Hyderabad- 500001. (2 to 4 By RPAD)
5. One CC to SRI AMBATI SAI VARUN Advocate [OPUC]
6. One spare copy

HIGH COURT

MGP,J

DATED:02/05/2024

ORDER

IA No.1 of 2024
In
CCCA.No.74 of 2024

STAY

