

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: 75 OF 2024

Between:

1. Smt. Meera Bai D/o Late Maheshwar
2. K Mukunda W/o Krishna
3. Smt. Indira W/o G Ramesh

...Petitioners

(Appellants in CCCA 75 OF 2024
on the file of High Court)

AND

1. Smt. Laxmi Bai, W/o Late Maheshwar, Occ. Household, R/o 11-1-412, Boiguda Kaman, Aghapura. Opposite Mahankali Temple, Hyderabad- 500001.
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, Occu pation. 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.
5. Smt. C Sujatha, W/o Srinivas, Aged about 65 years. Occ. Household, Rio 3-5-979/A, Street No. 5, Himayathnagar, Hyderabad.
6. Smt. Navanitha, W/o Prem, Aged about 64 years, Occ.. Household, R/o 18-7-137-2, Gowliguda market, Hyderabad.

7. Smt. Sunitha, W/o Shivakumar, Occ.Household, R/O 6-1-702, Lakshmi Nagar, Kairathabad, Hyderabad.
8. Smt. P Sabitha, W/o P Srinivas, Occ. Household, R/o 18-3-508/D/19, Chatrinaka, Shivaganga Nagar, Hyderabad.

...Respondents/Respondents/Defendants
(Respondents in-do-)

Counsel for the Petitioner : SRI AMBATI SAI VARUN

Counsel for the Respondents : ---

Petition under Order 39 Rule 1 & 2 r/w 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 grant ad interim injunction restraining the Respondents herein or anyone claiming through or under them from alienating the Suit Schedule Property or from creating any charge/ third party rights over the Suit Schedule Property, Pending disposal of CCCA No.75 of 2024, preferred to the High Court against the judgment dated 21.12.2023 ("impugned judgment") passed in OA No.551 of 2014 on the file of the IX Addl. Chief Judge, City Civil Court at Hyderabad.

Schedule of Property

Schedule A Property

All that house bearing No.11-11-411 and 412, admeasuring about 204 sq. yds. Situated at Boiguda Kaman, Agapura, Hyderabad bounded by:

North :	Common Lane
South :	Neighbours House
East :	House are of Neighbours
West :	Cement Road Mangalghat

Schedule B Property

All that house bearing No.11-1-576, admeasuring about 24 sq. yds. situated at Boiguda Kaman, Agapura, Hyderabad bounded by:

North : H No.11-1-1575
South : H No.11-1-577
East : Common Lane
West : Neighbours House

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 ad interim injunction restraining the respondents herein or anyone claiming through or under them from alienating the suit schedule property or creating any charge/third party rights over the suit schedule property.

Vide impugned judgment and decree dated 21.12.2023, in O.S.No.551 of 2014, the learned IX Additional Chief Judge, City Civil Court at Hyderabad, dismissed the suit. Aggrieved by the same, the appellants/plaintiffs are before this Court.

The suit was filed for partition and separate possession of the schedule 'A' and 'B' properties.

The main contention of the learned counsel for the appellants is that the respondents/defendants in pursuance of the impugned judgment and decree passed by the Trial Court are trying to alienate the schedule properties in favour of third parties and that they have got good grounds to succeed in the appeal.

Considering the said submissions and the apprehension expressed by the appellants/plaintiffs that respondents/defendants may alienate the schedule properties in favour of third parties, the respondents/defendants are restrained from alienating the subject properties, till 12.06.2024.

Accordingly, the application is ordered.

**SD/ N. SRIHARI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The IX Addl. Chief Judge, City Civil Court at Hyderabad
2. Smt. Laxmi Bai, W/o Late Maheshwar, Occ. Household, R/o 11-1-412, Boiguda Kaman, Aghapura. Opposite Mahankali Temple, Hyderabad-500001.
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10. One CC to SRI AMBATI SAI VARUN Advocate [OPUC]
11. One spare copy

HIGH COURT

MGP,J

DATED:02/05/2024

ORDER

**IA No.1 of 2024
In
CCCA.No.75 of 2024**

DIRECTION

