

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE SECOND DAY OF DECEMBER,
TWO THOUSAND AND TWENTY TWO

PRESENT
THE HON'BLE DR JUSTICE G.RADHA RANI

CCCA. No. 15 of 1995

Between:

1. Dr. Abbas Ali (**Died**) per LRs A 2 to 10.
 2. Smt. Memoona Bai (**Died**) per LRs A-3 to 10
 3. Dr. Ilyas Ahmed, S/o. Dr. Abbas Ali
 4. Dr. Altaf Jaweed, S/o. Dr. Abbas Ali
 5. Dr. Arif Ali, S/o. Dr. Abbas Ali
 6. Sri Ashfaq Ahmed, S/o. Dr. Abbas Ali,
 7. Sri Ather Ali, S/o. Dr. Abbas Ali
 8. Dr. Alisa Banoo, D/o. Dr. Abbas Ali
 9. Miss. Asra Banoo, D/o. Dr. Abbas Ali
 10. Miss Atefa Banoo, D/o. Dr. Abbas Ali
- (All are R/o. Civil lane, Narayanpet, Mahaboobnagar Dist. A-3,5 to 10 rep. by their GPA A-4 herein Dr. Altaf Jaweed.)

Appellants/Plaintiffs

AND

1. Smt. Pochamma (**Died**) per LRs RR- 4 to 10, -
 2. Sri Sattaiah, S/o. Late Gandaiah R/o. New H.No.8-2-274/6/1/A, Banjarahills, Hyderabad.
 3. Smt. Maisamma (**Died**) per LRs RR- 11 to 14, -
 4. Krishna, S/o. Sattaiah
 5. Yadamma, D/o. Sattaiah
 6. Gandamma, S/o. Sattaiah
 7. Tirumalamma, D/o. Sattaiah
 8. Andalamma, D/o. Sattaiah
 9. Anamma, D/o. Sattaiah
 10. Padma, D/o. Sattaiah
- (RR 4 to 10 are R/o.8-2-674/6/1/B, Road No.-13, Banjara Hills, Hyderabad. - LRs of deceased R-1 (CCCAMP-53/2010)
11. Papaiah, S/o. Late Gandaiah
 12. Narasimha, S/o. Late Gandaiah
 13. Yadaiah, S/o. Late Laxmaiah
 14. Jangaiah, S/o. Late Laxmaiah
- (RR-11 to 14 are R/o.8-2-674/6/1/B, Road No.13, Banjara Hills, Hyderabad - LRs of deceased R-3 (CCCAMP-52/2010)
- (RR- 4 to 14 are brought on record as LRs of deceased RR- 1 & 3 as per the Hon'ble court order dated. 6.11.13 in CCCAMP. Nos.-53 & 52/2010)

Respondents/Defendants

Second Appeal under Section 96 R/w Order 41 Rule 1 of C.P.C., praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the judgment and decree passed by the learned V Additional Judge, City Civil Court at Hyderabad in OS.No. 1239 of 1982 dated. 8-7-1994 by allowing the appeal and decree the above suit as prayed for in the interest of justice.

The Appeal coming on for hearing, upon perusing the memorandum of grounds filed herein and upon hearing the arguments of Sri Mahmood Ali, Advocate for the Appellants and of Sri M.V.S.Suresh Kumar, Advocate for the Respondents 2,4 to 14, the Court made the following

ORDER:

“ Sri E.V.V.S.Ravi Kumar, Advocate Commissioner even after specific directions issued through the Registry and even after information by the learned counsel for the appellants, Sri Mahmood Ali failed to appear before the Court.

Hence, the commission issued to him is revoked and he is directed to return the fee, if any, taken from the appellants to the Registry within one week.

Learned counsel for respondents reported that he came to know about the death of the respondent No.2 when the letter sent by them was returned on the ground that he was expired and that he was not in a position to give the details of the legal heirs of the respondent No.2. Hence, the appellant is directed to enquire about the details of the legal heirs of the respondent No.2 and to furnish to the Court to proceed further with the matter.

Post this matter on 16-12-2022.”

//TRUE COPY//

SD/- T. JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The V Additional Judge, City Civil Court at Hyderabad
2. Sri E.V.V.S.Ravi Kumar, Advocate Commissioner, High Court, Hyderabad.
3. One CC to Sri Mahmood Ali, Advocate, High Court, Hyderabad. (By Spl. Messenger)
4. One CC to Sri M.V.S.Suresh Kumar, Advocate (OPUC)
5. One spare copy

SAH

HIGH COURT

Dr.GRRJ

DATED: 02-12-2022

**NOTE: POST THIS MATTER ON
16-12-2022**

ORDER

CCCA.NO.15 OF 1995

DIRECTION

