

**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: 78 OF 2024

Between:

1. Mr. M.B. Chander, S/o M. Bhadriah,
2. Mrs. Padma Chander, W/o M.B. Chander,
3. Rishi Public School Educational Society, Rep., by its authorized officer Mrs. Padma Chander, Having its Branch office at #3-6-325, Hyderguda, Hyderabad-029.

...Appellants / Petitioners
(Petitioner in CCCA 78 OF 2024
on the file of High Court)

AND

M/s Balakrishna Rao Charitable Trust, Having its office at Door No. 3-6-293/2/D, Hyderguda, Hyderabad- 029, Rep by its Managing Trustee Sri Jayant Tagore, Aged about 52 years, Occ. Business, R/o. Jubilee Hills, Hyderabad.

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

Counsel for the Petitioners : Sri VADEENDRA JOSHI

Counsel for the Respondent : - - -

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 grant stay the operation of the Judgment and Decree, dt: 02.04.2024 passed in OS No. 1005 of 2014 on the file of the Ld. XIV Additional chief Judge, City Civil Court at Hyderabad pending disposal of CCCA No. 78 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondent 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

This application is filed to grant stay of operation of the judgment and decree dated 02.04.2024 passed in O.S.No.1005 of 2014 on the file of the learned XIV Addl. Chief Judge, City Civil Court, Hyderabad, pending disposal of the present appeal.

Vide impugned judgment and decree dated 02.04.2024, in O.S.No.1005 of 2014, the learned XIV Addl. Chief Judge, City Civil Court at Hyderabad, decreed the suit, directing the appellants/defendants to vacate the suit schedule property within 30 days and deliver the same to the plaintiff. Further, the defendants are directed to pay Rs.14,81,458/- towards arrears of rent and also to pay rental amount @ Rs.99,225/- from the date of suit till the date of eviction.

Challenging the same, the present appeal is filed by the defendants.

Heard both sides.

The main contention of the learned counsel for the petitioners/appellants is that the learned Trial Court without considering the evidence in a proper perspective had decreed the suit and the appellants have good grounds to succeed in the appeal. It is further contended that they have been paying the monthly rents to the respondent.

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 interim stay of operation of the judgment and decree dated 02.04.2024 passed in O.S.No.1005 of 2014 on the file of the learned XIV Addl. Chief Judge, City Civil Court, Hyderabad, till 14.06.2024, subject to the petitioners paying an amount of Rs.4,00,000/- to the respondent/plaintiff on or before 14.06.2024. If the petitioners/appellants fail to deposit the said

amount within the stipulated time, the interim stay stands automatically vacated.

Accordingly, the application is ordered.

**SD/- B.SARASWATHI
ASSISTANT REGISTRAR**



//TRUE COPY//

SECTION OFFICER

To,

1. The Ld. XIV Additional chief Judge, City Civil Court at Hyderabad.
2. Sri Jayant Tagore, Managing Trustee, M/s Balakrishna Rao Charitable Trust, Having its office at Door No. 3-6-293/2/D, Hyderguda, Hyderabad- 029, Aged about 52 years, Occ. Business, R/o. Jubilee Hills, Hyderabad. (By RPAD)
3. One CC to SRI. VADEENDRA JOSHI, Advocate [OPUC]
4. One spare copy

HIGH COURT

MGPJ

DATED:02/05/2024

POST ON 14.06.2024

ORDER

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IN

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INTERIM STAY

