



**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR**

CIVIL REVISION PETITION No: 1796 of 2026

Petition under Article 227 of the Constitution of India aggrieved by the Order dated 05/01/2026 passed in I.A.No.720 of 2025 in A.O.P No.23 of 2025 on the file of the III Additional District and Sessions Judge, Ranga Reddy District at LB Nagar.

Between:

1. Dr. S. Ananth Kumar, S/o. Late Mr. Prem Das, Aged about 63 Years, Occ. Doctor, R/o. Plot No.14, Road No.71, Jubilee Hills, Hyderabad, Telangana-500033 Rep. by his GPA Holder Dr. S. Abhilash, S/o. Mr. S. Ananth Kumar, Aged about 34 Years, Occ. Doctor, R/o. Plot No.14, Road No.71, Jubilee Hills, Hyderabad, Telangana-500033.
2. Dr. S. Abhilash, S/o. Mr. S. Ananth Kumar, Aged about 34 Years, Occ. Doctor, R/o. Plot No.14, Road No.71, Jubilee Hills, Hyderabad, Telangana-500033.

...Petitioners/Petitioners/Respondents

AND

1. Mr. Lanki Reddy Srinivas, S/o. Mr. Lanki Reddy Subba Reddy, Aged about 39 Years, Occ. Business, R/o. #320/A, MLA Colony, Road No.12, Banjara Hills, Hyderabad, Telangana.
2. Mrs. Lanki Reddy Raja Lakshmi, W/o. Mr. Lanki Reddy Subba Reddy, Aged about 55 Years, Occ. House Wife, R/o. #320/A, MLA Colony, Road No.12, Banjara Hills, Hyderabad, Telangana.

...Respondents No.1 & 2/Respondents Nos.1 & 2/Claimants

3. Mr. C. Hare Krishna Bhupathi, S/o. Mr. C. Sudarsana Rao, Hon'ble Retd District Judge and Sole Arbitrator, R/o Nagole, Hyderabad.

...Respondent No.3/Sole Arbitrator



2026:TSHC:14164/DB

I.A. No: 1 of 2026

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the Order dated 05/01/2026 in I.A. No. 720 of 2025 in A.O.P. No 23 of 2025 passed by the III Additional District and Sessions Judge, Ranga Reddy at L.B.Nagar pending the above Petition.

I.A. No: 2 of 2026

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation, execution and enforcement of the Arbitral award dated 21/07/2025 pending the above Revision Petition.

Counsel for the Petitioners: SRI A P SURESH RAM

**Counsel for the Respondent Nos.1 & 2: SRI AVINASH DESAI, Sr. COUNSEL,
REPRESENTING
SRI ASHOK KUMAR AGARWAL**

The Court made the following: ORDER



2026:TSHC:14164-DB

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HON'BLE JUSTICE GADI PRAVEEN KUMAR
CIVIL REVISION PETITION No.1796 OF 2026

DATE: 14.07.2026

Between:

Dr.S.Ananth Kumar and another.

... Petitioners

And

Mr.Lanki Reddy Srinivas and Two others

... Respondents

Mr.A.P.Suresh Ram, learned counsel appearing for the petitioners.

Mr.Avinash Desai, learned Senior Counsel representing Sri Anand Kumar Agarwal, learned counsel appearing for the respondent Nos.1 and 2.

ORDER: (Per Hon'ble Justice Moushumi Bhattacharya)

1. The present Civil Revision Petition has been filed against an order dated 05.01.2026 passed by the learned III Additional District and Sessions Judge, Ranga Reddy District at L.B. Nagar ('Trial Court') dismissing I.A.No.720 of 2025 in A.O.P.No.23 of 2025 filed by the petitioners herein for stay of the Award dated 21.07.2025.



2. The Revised Petitioners/Award-Debtors have filed A.O.P.No.23 of 2025 under section 34 of The Arbitration and Conciliation Act, 1996 (the 1996 Act) for setting aside the Award dated 21.07.2023 passed by the respondent No.3. The petitioners/Award-Debtors also filed I.A.No.720 of 2025 for stay of the Award in the pending Application (A.O.P.No.23 of 2025) under Order XXXIX Rule 3 and 2 read with section 151 of the Code of Civil Procedure, 1908 (CPC).

3. The award in the present case is for specific performance of an Agreement of Sale executed on 02.04.2019 between the petitioners (vendors) and the respondent Nos.1 and 2 (purchasers) for registration of a house property in favour of respondent Nos.1 and 2 upon receiving the balance amount of Rs.40,03,000/- payable by them.

4. The Court is informed that the respondent Nos.1 and 2 have paid Rs.40,03,000/- consideration for purchase and had in fact also paid the balance of Rs.40,03,000/- by way of Demand Drafts which were sent to the petitioners, were returned due to non-acceptance and finally deposited in the Court.

5. While petitioners do not wish to comment on the merits of dispute, sufficient to say that the respondent Nos.1 and 2 booked the house property in 2019, disputes that arose in



respect of Agreement of Sale led to arbitration and the Award was passed on 21.07.2025. The house property has not been registered till date.

6. We have heard learned counsel appearing for the petitioners and learned Senior Counsel appearing for the respondent Nos.1 and 2/Claimants and Award-holders. The respondent No.3 is the learned sole Arbitrator.

7. The learned Trial Court dismissed I.A.No.720 of 2025 on several grounds. The first relates to the form of Application whereby the Trial Court held that the Application for stay of the Award or injunction against the Award-holders to file execution petition under Order XXXIX Rule 1 and 2 CPC is not maintainable. However, the Trial Court proceeds to entertain the said Application under section 151 CPC.

8. The Trial Court proceeded to maintain that, following both the petitioners and respondents/claimants submission that the grounds raised in their petition and counter may be read into the I.A., only the main ground in the application shall be duly considered, for answering other grounds would result in a complete disposal of the main O.P. The Trial Court accordingly dealt with the main ground and contentions thereof with regard to inadmissibility of the sale agreement due to improper

stamping and non-registration of the same. The Trial Court also took into account the petitioners' submission that the non-payment of stamp duty culminates in a public policy objection against the Award.

9. The Trial Court proceeded to refer to section 49 of the Registration Act, 1908 (the 1908 Act) with regard to an unregistered document affecting immovable property which is required to be registered under the said Act and 'The Transfer of Property Act, 1882

10. The Trial Court placed reliance on the Proviso to section 49 of the 1908 Act which carves out an exception with regard to an unregistered document affecting immovable property and required to be registered under the 1908 Act or the Transfer of Property Act, 1882 to be registered and renders it receivable as evidence of a contract in a suit for specific performance under Chapter-II of the Specific Relief Act, 1877, or as evidence of any collateral transaction not required to be effected by registered instrument. Furthermore, with regard to it was held that an unregistered sale agreement may be marked in a suit for specific performance and that the same would be relevant for an Arbitral award on the point of admissibility. The Trial Court also pointed out that an objection with regard to admissibility of



the Agreement of Sale was not raised at all before the learned Arbitrator and was only done so before it.

11. With regard to deficit stamp duty, the Trial Court came to the conclusion that on perusal of Ex.A-1/document filed by the petitioners and the manner in which the stamp duty was prepared therein, no *prima facie* deficit of stamp duty is made out. The Trial Court accordingly held that stay of execution of the Award cannot be granted.

12. We do not find any error in the impugned order, save except that the learned Trial Court should have taken into account that the only statutory route available to an Award-debtor for stay of the Award is under section 36(2) and (3) of the 1996 Act, whereby an Award-debtor would have to file a separate application for stay of the Award and the Court may impose whatever conditions it may deem fit for grant of stay. The obligation cast on the Court under section 36(3) of the 1996 Act in terms of an Award involving payment of money is not relevant in the case.

13. The contention of the learned counsel appearing for the petitioners that the Trial Court failed to consider the points raised by the petitioners for stay of the award, is not tenable in view of the reasons stated above.

14. We are also of the view that the present Civil Revision Petition is not maintainable since the petitioners have not shown any instance of grave miscarriage of justice or patent illegality. It is so ordered order for this Court to invoke its supervisory power under Article 227 of the Constitution of India. We accordingly do not find any merit in the Civil Revision Petition.

15. ABK/KA/174 of 2026, along with all connected applications are dismissed for the above reasons. The Trial Court shall decide ABK/KA/22 of 2025 uninfluenced by any of the opinions expressed in this order.

**SD/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional District and Sessions Judge, Ranga Reddy District at LB Nagar
2. One CC to Sri A P Suresh Ram, Advocate [OPUC]
3. One CC to Sri Ashok Kumar Agarwal, Advocate [OPUC]
4. Two CD Copies

ABK/KA





2026:TSHC:14164-DB

HIGH COURT

DATED: 14/07/2026

ORDER

CRP.No.1796 of 2026



DISMISSING THE CRP

① SP
23/7/26