

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE NO: CIVIL REVISION PETITION No.1451 of 2026

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
01.	06.05.2026	<u>EVV, J</u> <u>C.R.P.No.1451 of 2026</u> Notice Before Admission. Learned counsel for the petitioner is permitted to take out personal notice to the respondents through Speed Post with Acknowledgment Due and file proof of service into the registry by the next date of hearing. Sri Jalli Kanakaiah, learned Senior Counsel representing Sri Jalli Narendar, learned counsel for the petitioner submitted that the present Civil Revision Petition is filed challenging the common order dated 24.04.2026 passed by the learned Junior Civil Judge-cum-Judicial Magistrate of First Class, Thorrur in I.A.No.991 of 2021 and I.A.No.1080 of 2021 in O.S.No.21 of 2017, whereby the delay of 1435 days in filing a petition under Section 5 of the Limitation Act and Order IX Rule 13 C.P.C. was condoned on payment of costs of Rs.2,500/-. Learned Senior Counsel raised serious objections to the impugned proceedings, contending that the trial Court allowed such an inordinate delay without examining the merits of the case, particularly when it is an admitted fact that the respondents had knowledge of the proceedings.	Tr. to IO folder before corrections.

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		It is further submitted that the respondents had already preferred an Appeal before the learned Court of the Special Tribunal and Collector, Mahabubabad District, in Tribunal Case No.20 of 2021 arising out of ROR Appeal Petition No.E/3783/2015/RDO, which was dismissed by order dated 10.07.2021. Aggrieved thereby, the respondents again approached the competent Civil Court by filing O.S.No.305 of 2021 on the file of the learned Junior Civil Judge at Thorrur, which is pending consideration. Therefore, the contention of the respondents that they had no knowledge of the <i>ex parte</i> decree does not arise. This matter requires detailed examination and the facts can be ascertained only upon filing written instructions/counter-affidavit by the respondents. <i>Prima facie</i>, it appears that the learned trial Court has not adequately considered the material facts while passing the common order condoning the delay of 1435 days in filing the petition under Section 5 of the Limitation Act and Order IX Rule 13 C.P.C to set aside the <i>ex parte</i> decree dated 16.09.2017. Accordingly, the impugned proceedings in I.A.No.1080 of 2021, in O.S.No.21 of 2017 dated 24.04.2026 on the file of the learned Junior Civil Judge-cum-Judicial Magistrate of First Class,	

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		Thorrur, shall stand suspended until further orders. List on 08.07.2026. spd <u>EVV, J</u>	

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