

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

FRIDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

**IA No. 1 OF 2023
IN
CRP NO: 2082 OF 2023**

Between:

1. M. Madhusudhan, S/o M. Ramakrishna, Aged 41 years, Occ. Service, R/o H. No. 9-2-176/179, Regimental Bazaar, Secunderabad
2. M. Indira, W/o M. Sridhar, Aged 31 years, Occ. Housewife, R/o H. No. 9-2-176/179, Regimental Bazaar, Secunderabad

... Petitioners/ Defendant No.4 & 5

(Petitioner in CRP 2082 OF 2023
on the file of High Court)

AND

1. Gandluru Veerasekhar Reddy, S/o G. Shivapothuluru Veera Reddy, Aged 32 yrs, Occ. Business, R/o Plot No. 81, Road No. 9, Jubilee Hills, Hyderabad.

...Respondent/ Plaintiff

2. Gandluru Subadramma, W/o G C Veera Reddy, Aged about 66 yrs, Occ. Business, R/o Pogattam Village, Kamalapuram Taluq, Kadapa District.
3. G. Samatha Reddy, D/o G. Pratap Reddy, Aged about 22 yrs, Occ. Student, R/o H. No. 281/M, Road No. 10-B, Jubilee Hills, Hyderabad.
4. G. Ravinath, S/o Late G. Pandurangaiah, Aged 41 yrs, Occ. Business, R/o Plot No. 202, Sumit Enclaves, Somajiguda, Hyderabad.

Respondents/ Defendant No.1 to Defendant No.3

5. N. Raji Reddy, S/o Late N. Sathi Reddy, Aged 59 yrs, Occ. Business, R/o H. No. 1-94/1, Avanthinagar, Erragadda, Hyderabad

...Respondents/ Defendant No.6

(Respondents in-do-)

Counsel for the Petitioners : Sri D DEVENDER RAO

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 stay all further proceedings in OS 344 of 2022 on the file of Senior Civil Judge, Medchal-Malkajgiri Dist. at Kukatpally Pending disposal of CRP No. 2082 of 2023, on the file of the High Court.

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

This application is filed seeking stay of all further proceedings in OS.No.344 of 2022 on the file of Senior Civil Judge, Medchal-Malkajgiri District at Kukatpally.

Heard the learned counsel appearing for the petitioner and perused the record.

Petitioner contends that the Court below erred in dismissing the subject interlocutory application, being IA.No.1246 of 2022, filed by the petitioners herein to close the evidence of the 5th respondent/6th defendant in the suit being OS.No.344 of 2022, since the said respondent/defendant is sailing with the plaintiff in the suit; that since the 5th respondent/6th defendant is supporting the case of the plaintiff, he ought to have been examined before the commencement of evidence on behalf of other contesting respondents/defendants; and that the 5th respondent/6th defendant having failed in his attempt to seek his cross-examination before commencement of the evidence on behalf of the other contesting respondents/ defendants by order dt.20.09.2022 in IA.No.222 of 2022, cannot now be allowed to lead evidence and offer himself for cross-examination, after the evidence and cross-examination of the petitioners/defendants 4 & 5 is over, as that will only lead to the 5th respondent/6th defendant filling up the lacunas.

***Prima facie*, I find force in the above said submissions.**

In view of the same, there shall be interim stay of all further proceedings in OS.No.344 of 2022 on the file of Senior Civil Judge, Medchal-Malkajgiri District at Kukatpally, pending disposal of the Revision.

SD/ N. SRIHARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Senior Civil Judge, Medchal-Malkajgiri District at Kukatpally.
2. Gandluru Veerasekhar Reddy, S/o G. Shivapothuluru Veera Reddy, Aged 32 yrs, Occ. Business, R/o Plot No. 81, Road No. 9. Jubilee Hills, Hyderabad.
3. Gandluru Subadramma, W/o G C Veera Reddy, Aged about 66 yrs, Occ. Business, R/o Pogattam Village, Kamalapuram Taluq, Kadapa District.
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6. N. Raji Reddy, S/o Late N. Sathi Reddy, Aged 59 yrs, Occ. Business, R/o H. No. 1-94/1, Avanthinagar, Erragadda, Hyderabad
(for 2 to 6 By RPAD)
7. One CC to SRI. D DEVENDER RAO Advocate [OPUC]
8. One spare copy

HIGH COURT

TVK,J

DATED:21/07/2023

ORDER

IA.No.1 of 2023

IN

CRP.No.2082 of 2023



STAY