

HIGH COURT FOR THE STATE OF TELANGANA: HYDERABAD

MAIN CASE NO: **C.M.A.No.234 of 2026**

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
	20.07.2026	<u>RY,J</u> <u>I.A.No.1 of 2026</u> This application is filed to suspend the operation of the decree dated 10.04.2026 in O.A.No.392 of 2015 on the file of the learned Endowments Tribunal at Hyderabad ('Tribunal'), including directing the respondents to forthwith restore the possession of the petitioner and to remove the seal and hand over the vacant possession of the shop No.7-3-58, Sri Matike Nagaiah Dharmashala, Sajjanlal, Street, Monda Market, Secunderabad('property') to the petitioner duly restraining the respondents from inducting any third party into the said property. Heard both sides. The petitioner herein has been declared as encroacher <i>vide</i> order dated 10.04.2026 in O.A.No.392 of 2015 on the file of the Tribunal and was directed to deliver vacant possession of the said property within three months i.e., on or before 09.07.2026. The copy of the said order and decree was received by the petitioner on 06.05.2026. Aggrieved by the same, the petitioner preferred the present C.M.A. on 08.06.2026 while the stipulated	

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		90 days period for vacating the property was to expire on 09.07.2026. However, respondent No.1 forcibly evicted the petitioner on 19.06.2026 i.e., subsequent to filing of the present C.M.A. before this Court and within the time period fixed. In the circumstances, the aforementioned fact situation shows glaring violation on the part of respondent No.1 in complying with the orders passed by the Tribunal in O.A.No.392 of 2015 on 10.04.2026 and also violation of the statutory right available to the petitioner to prefer the appeal. Respondent No.1, who approached the Tribunal for relief is under obligation to comply with the order passed by the Tribunal and also not entitled to cause obstruction to the petitioner in exercising his right of preferring an appeal before this Court. In the circumstances, respondent No.1 is directed to restore possession of the petitioner over the property i.e., shop No.7-3-58, Sri Matike Nagaiah Dharamashala, Sajjanlal, Street, Monda Market, Secunderabad, until the disposal of the present appeal subject to the petitioner furnishing an undertaking to vacate the said property within a period of 30 days from the date of disposal of the present appeal, if the order of the Tribunal is confirmed by this Court in appeal.	

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		<u>C.M.A.No.234 of 2026</u> List on 17.08.2026. GVR RY, J	