

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE NO:CCCA.No.129 of 2026

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
	07.08.2026	<u>GPK,J</u> <u>IA.No.2/2026</u> The appellant assails the judgment and decree dated 06.10.2025 passed in O.S.No.491 of 2018 on the file of the XIV Additional Chief Judge, City Civil Court at Hyderabad, whereby the learned Trial Court directed the defendants to vacate the suit schedule property and hand over the vacant possession to the plaintiff within 30 days from the date of the judgment. On the application filed by the appellant expressing his inability to pay the Court fees on account of the poor financial condition and seeking permission for exemption, this Court by order dated 13.07.2026, observed that such relief could not be granted and if the appellant is unable to pay the Court fee, he is at liberty to follow the procedure prescribed for filing the appeal as an indigent person and accordingly sustained the objection raised by the office and returned the CCCA (SR). While ordering notice on 31.07.2026 to the respondent, this Court also permitted personal service. Proof of service has been filed, however the cover was returned to the sender with an endorsement “no such person is available”. (PTO)	

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		Though it is the specific case of the appellant herein that the suit schedule property was purchased from the income and funds of the joint family. However, the Trial Court observed that Ex.A.1 –sale deed showed that only late Vijaya Kumar Sharma is the lawful purchaser and owner of the suit property. Hence, the issue that arises for consideration is whether the subject property was acquired for the benefit of the family out of joint family funds. The matter requires consideration. There shall be interim suspension of operation of the judgment and decree under appeal till the next date of hearing. Issue notice to the respondent. Personal service is also permitted. List the matter on 03.09.2026. GPK,J Note: Issue CC by 11.08.2026 (B/o) GJ	

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