

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

: PRESENT:

THE HON'BLE SMT JUSTICE P.SREE SUDHA

CIVIL REVISION PETITION NOS: 1505 AND 1509 OF 2022

Between:

1. J. Arvind Rao, S/o. Late Vallabh Shastri
2. J. Anil Rao, S/o. Late Vallabh Shastr
3. J. Arun Rao, S/o. Late Vallabh Shastri

Petitioners/Petitioners/Plaintiffs in both the petitions

AND

1. Karre Vinod Kumar, S/o. Bhumaiah, Occ. Agriculture, R/o. H.No1-3-44, Phulong, Nizamabad.
2. Sunkam Koteswar, S/o. Pochaiah, Occ. Govt Servant R/o. H.No1-7-625/A, Phulong, Nizamabad.
3. Sheelam Gangaram, S/o. Narsimloo, Occ Retired Teacher, R/o. H.No. 1-9-107, Phulong, Nizamabad. (died his Lrs brought on record vide I.A.No. 263 of 2020, dt. 22/01/2021 as Respondent/ Defendant No.8 and 9)
4. Redda Purshottam, S/o. Babanna, Occ. Agriculture, R/o. H.No1-3-44, Phulong, Nizamabad.
5. Pantukula Hari Prasad, S/o. Narayana, Occ. Agriculture R/o. Phulong, Nizamabad.
6. Malka Reddy Ramulu, S/o. Kistaiah, Occ Milk vendor, Mentrajpally Village, Dichpally Mandal, Nizamabad. (died his Lrs brought on record vide I.A. No. 194 of 2017, dt. 22.01.2018 as Respondent/Defendant No. 7).
7. Malka Reddy Krishna, S/o. Malka Reddy Ramulu, Occ. Labour, R/o. H.No 1-430, Mentrajpally village, Dichpally Mandal, Nizamabad District.
8. Sheelam Goutham, S/o. Sheelam Gangaram, Occ. Private Service, R/o. H.No1-9-170, Phulong, Nizamabad.
9. Sheelam Srinu, S/o. Sheelam Gangaram, Occ. Private Service, R/o. H.No 1-9-170, Phulong, Nizamabad.

Respondents/Respondents/Defendants in both the petitions

CRP. No. 1505 of 2022

WHEREAS the Petitioners above named through their Advocate Sri T Gangadhar presented this Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to allow the instant Civil Revision Petition by setting aside the order passed by the Ld. I Additional District Judge, at Nizamabad in I.A.No. 517 of 2022 in O.S.No. 37 of 2013 on dt. 24/06/2022 and consequently allow I.A.No. 517 of 2022 in O.S.No. 37 of 2013 as prayed for;

IA NO: 1 OF 2022

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 O.S. 37 of 2013 before the Ld. I Additional District Judge, at Nizamabad, pending disposal of CRP No. 1505 of 2022, on the file of the High Court.

CRP. No. 1509 of 2022

WHEREAS the Petitioners above named through their Advocate Sri T Gangadhar presented this Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to allow the instant Civil Revision Petition by setting aside the order passed by the Ld. I Additional District Judge, at Nizamabad in I.A. No. 518 of 2022 in O.S. No. 37 of 2013 on dt. 24/06/2022 and consequently allow I.A. No. 518 of 2022 in O.S. No. 37 of 2013 as prayed for;

IA NO: 1 OF 2022

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 O.S. 37 of 2013 before the Ld. I Additional District Judge, at Nizamabad, pending disposal of CRP No. 1509 of 2022, on the file of the High Court.

AND WHEREAS the High Court upon perusing the petitions and memorandum of grounds filed herein and upon hearing the arguments of Sri T Gangadhar Advocate for the Petitioners in both the petitions, directed issue of notice to the Respondents herein to show cause as to why this CIVIL REVISION PETITION should not be admitted.

You viz:

1. Karre Vinod Kumar, S/o. Bhumaiah, Occ. Agriculture, R/o. H.No1-3-44, Phulong, Nizamabad.
2. Sunkam Koteswar, S/o. Pochaiah, Occ. Govt Servant R/o. H.No1-7-625/A, Phulong, Nizamabad.
3. Redda Purshottam, S/o. Babanna, Occ. Agriculture, R/o. H.No1-3-44, Phulong, Nizamabad.
4. Pantukula Hari Prasad, S/o. Narayana, Occ. Agriculture R/o. Phulong, Nizamabad.
5. Malka Reddy Krishna, S/o. Malka Reddy Ramulu, Occ. Labour, R/o. H.No 1-430, Mentrajally village, Dichpally Mandal, Nizamabad District.
6. Sheelam Goutham, S/o. Sheelam Gangaram, Occ. Private Service, R/o. H.No1-9-170, Phulong, Nizamabad.
7. Sheelam Srinu, S/o. Sheelam Gangaram, Occ. Private Service, R/o. H.No 1-9-170, Phulong, Nizamabad.

are directed to show cause on or before 10.08.2022 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CIVIL REVISION PETITION should not be admitted.

The Court made the following

ORDER:

Learned counsel for the petitioners present and stated that he is the plaintiff in the suit and filed the suit for declaration and he has filed applications before the trial

court to recall DW1 for further cross-examination and to reopen the matter to cross examine DW1 and the same were dismissed and the matter is posted for arguments.

He submits that he has filed I.A. No. 1 of 2022 for stay of all further proceedings in O.S. No. 37 of 2013 before the trial court.

Considering the arguments of learned counsel for the petitioners, interim stay is granted.

Issue notice to the respondents.

Post on 10.08.2022.

SD/- I. NAGA LAKSHMI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional District Judge, at Nizamabad
2. Karre Vinod Kumar, S/o. Bhumaiah, Occ. Agriculture, R/o. H.No1-3-44, Phulong, Nizamabad. ✓
3. Sunkam Koteswar, S/o. Pochaiah, Occ. Govt Servant R/o. H.No1-7-625/A, Phulong, Nizamabad. ✓
4. Redda Purshottam, S/o. Babanna, Occ. Agriculture, R/o. H.No1-3-44, Phulong, Nizamabad. ✓
5. Pantukula Hari Prasad, S/o. Narayana, Occ. Agriculture R/o. Phulong, Nizamabad.
6. Malka Reddy Krishna, S/o. Malka Reddy Ramulu, Occ. Labour, R/o. H.No 1-430, Mentrajally village, Dichpally Mandal, Nizamabad District.
7. Sheelam Goutham, S/o. Sheelam Gangaram, Occ. Private Service, R/o. H.No1-9-170, Phulong, Nizamabad. ✓
8. Sheelam Srinu, S/o. Sheelam Gangaram, Occ. Private Service, R/o. H.No 1-9-170, Phulong, Nizamabad. ✓
- (Addressees 2 to 8 by RPAD along with a copy of petition and grounds) ✓
9. One CC to Sri T Gangadhar Advocate [OPUC] ✓
10. One spare copy

HIGH COURT

PSSJ

DATED:11/07/2022

NOTE: POST ON 10.08.2022

NOTICE BEFORE ADMISSION

CRP.Nos.1505 AND 1509 OF 2022



INTERIM STAY