

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE NO: C.R.P.No.1906 of 2026

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
	14.07.2026	<u>EVV, J</u> Mr.M.Durga Prasad, learned counsel for the petitioners, would submit that the present Civil Revision Petition is filed challenging the order dated 07.04.2026 in E.A.No.31 of 2025 in E.P.No.7 of 2023 (old E.P.No.117 of 2013) passed by the learned Senior Civil Judge, Jayashankar Bhupalpally. It is further submitted that initially E.P.No.117 of 2013 was filed before the learned II Additional Senior Civil Judge, Warangal, for execution of Decree and Judgment, dated 20.01.2005 in O.S.No.275 of 2004. Due to bifurcation of judicial districts, E.P.No.117 of 2013 was transferred to the file of the learned Senior Civil Judge, Jayashankar Bhupalpally, and re-numbered as E.P.No.7 of 2023. It is further submitted that in the said E.P., E.A.31 of 2025 was filed seeking to restore the physical possession of four shutters bearing Nos.6-84/10 to 6-84/13 constructed in the schedule property by respondent No.1/decreed holder in his favour by evicting the petitioners herein and respondent Nos.2 to 9. <i>Vide</i> order dated 07.04.2026, learned Executing Court	Tr. to IO folder before corrections. B/o. ynk

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		allowed the said application. It is further submitted that O.S.No.275 of 2004 is filed for permanent injunction restraining the defendants therein, their agents, supporters etc., from interfering with the peaceful possession and enjoyment of the plaintiff over the suit schedule property. Judgment and Decree dated 20.01.2005 in O.S.No.275 of 2004 was an <i>ex parte</i> judgment. However, no appeal has been filed challenging the said <i>ex parte</i> Judgment dated 20.01.2005. It is further submitted that respondent No.1 has filed a suit in O.S.No.503 of 2006 seeking to declare the document bearing Nos.688, 685, 686 and 683 of 2006, dated 30.05.2006 as null and void. The said suit was dismissed on 05.10.2018. No appeal has been filed against the said decree and judgment. Learned counsel for the petitioners further submits that material papers in I.A.No.2 of 2026 were not served on them. The contention of the petitioners is that the learned Executing Court erred in invoking order XXI Rule 32 of CPC read with Section 144 of C.P.C for restoration of possession and that the impugned order is contrary to settled	

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		principles that an Executing Court cannot travel beyond the decree and cannot grant relief inconsistent with or larger than the decree sought to be executed. In the light of the same, matter requires detailed examination, after filing of the detailed counter by the learned counsel for the respondents. List on 11.08.2026. In the meanwhile, learned counsel for the respondents shall serve papers in I.A.No.2 of 2026 on the learned counsel for the petitioners. Till then, interim order granted earlier shall stand extended. _____ EVV, J ynk	

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