

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE No: C.R.P.No.2300 of 2026

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
1.	31.07.2026	<u>JAK, J</u> <u>I.A.No.1 of 2026</u> Dispensed with. <u>JAK,J</u> <u>C.R.P.No.2300 of 2026</u> Civil revision petition is filed with the following prayer: “.... to prefer this Civil Revision Petition praying that this Hon’ble Court may be pleased to issue directions/orders directing the Learned Junior Civil Judge at Kosgi to hear and dispose of I.A.No.32 of 2026 in O.S.No.11 of 2026 in vacating Interim Injunction granted on 27.01.2026 in IA.No.32/2026 in OS No.11/2026 for the following among other...” Issue notice to respondents. Learned counsel for petitioner is permitted to take out personal notice on respondents through SPAD and file proof of service by next date of hearing. Having perused the order of the Junior Civil Judge at Kosgi in I.A.No.32 of 2026 in O.S.No.11 of 2026 dated 23.02.2026, this Court is of the opinion that there was an inadvertent mistake in not annexing all the documents to the notice forwarded by the counsel for plaintiff. An act of the counsel cannot have an impact on the litigant. If the acts of counsel have a bearing on the litigant, then it is the	Transferred to IO folder, before corrections, if any.

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		litigant who would suffer. The order of the Junior Civil Judge at Kosgi, dated 23.02.2026, is as follows: “Both parties absent. At the time of call work both counsel present. The learned counsel respondent No.1 to 4 filed memo on 20.02.2026 and today it is coming for hearing on memo. The respondent counsel stated that they received only plaint and affidavit but they did not received list of documents as mentioned in the order. He further stated that the petitioner failed to comply the order 39 rule 3(a) CPC in ad-interim injunction dated: 27-01-2026. For verifying the record the court passed over the matter and called at 03:00 PM. This time only respondent counsel is present. Perused the record after perusing the postal covers of D1 to D4 it is noticed that D4 cover was opened but D1 to D3 covers are not opened. Now the court inclined to open the covers of D1 to D3 in the open court. Accordingly the court opened the covers of D1 to D3 in the open court and it is clearly found that in all three covers there is only plaint and affidavit as stated by the respondent counsel and there is no other documents. After seeing, it is clear that the petitioner did not send the list of documents to the respondents which ought to have send as per the ad-interim injunction granted on 27-01-2026. Therefore the order passed in the present IA is not complied. The Hon'ble supreme court and various states High courts in catena or judgments held that if order 39 rule 3(a) is not complied the order shall automatically stands cancelled. The learned counsel petitioner filed affidavit along with 151 CPC petition to extend the interim order but order 39 rule 3(a) is not complied as such the petition is returned. Hence the interim order passed by this court dated: 27-01-2026 stands vacated for non compliance. Call with main suits.” Learned counsel for revision petitioner has fairly submitted that the law requires the entire set of documents have to be annexed along with notice to be sent to other side. There was a laxity on the part of counsel and the same cannot affect the litigant, for a fault/mistake on the part of the	

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		counsel. In view of the same, there shall be an interim injunction in I.A.No.32 of 2026 in O.S.No.11 of 2026 for a period of “TWO WEEKS ONLY”. Post the matter on 14.08.2026. <u> </u> JAK,J plp	

