



2025:TSHC:41463

[3378]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE THIRTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION NO: 3679 OF 2025

Petition under Article 227 of the Constitution of India aggrieved by the order passed in E.P.No.42 of 2011 in O.S.No.4387 of 2004 on the file of the Court of the VII Junior Civil Judge, City Civil Court, Hyderabad.

Between:

Mohammad Ghouse, S/o Late Shaik Imam, Aged 68 yrs, Occ- Advocate, R/o 8-3-222/1/8, Muhammds Castle, Madhura Nagar Colony, Hyderabad.

...PETITIONER/DHR

AND

K. Balaian, S/o Raja Malaiah, Aged about 75 years, Occ- business, R/o 16-1-30/1/30, Phase- II, Indraprastha- Township, Saidabad, Hyderabad. Respondent is not necessary party As he is set exparte in the E.P.42 of 2011

...RESPONDENT/JDR

Counsel for the Petitioner : Sri. Party in Person

Counsel for the Respondent :

The Court made the following: ORDER



THE HONOURABLE SRI JUSTICE P.SAM KOSHY

C.R.P.No.3679 OF 2025

ORDER:

Heard Mr. Mohammad Ghouse, party-in-person/petitioner and perused the record.

2. The instant civil revision petition has been filed by the petitioner under Article 227 of the Constitution of India seeking a limited relief of an appropriate direction to the learned VII Junior Civil Judge, City Civil Court, Hyderabad (for short, 'Executing Court') and its Incharge Courts, to take up and dispose of E.P.No.42 of 2011 in O.S.No.4387 of 2004 expeditiously.
3. The facts of the case is that the petitioner/plaintiff had filed a suit *vide* O.S.No.4387 of 2004 on the file of the learned IV Junior Civil Judge, City Civil Court, Hyderabad, seeking specific performance of sale deed. The said suit was decreed *vide* judgment and decree dated 02.08.2006. By virtue of the said judgment and decree, the trial Court was pleased to execute registered Sale Deed in favour of the petitioner on 31.07.2007. However, the petitioner has not got the possession of the subject property till date. Subsequently, the petitioner had filed Execution Petition in the year

2011 registered as E.P.No.42 of 2011 in O.S.No.4387 of 2004. However, though the matter is pending consideration for more than 14 years from the date the EP was filed and almost about 19 years from the date the judgment and decree was passed, the petitioner has not been able to read the force of the judgment and decree in his favour.

4. The party-in-person/petitioner submits that in between the Judgment Debtor has tried numerous ways in protracting the proceedings by filing numerous applications/objections before the Executing Court either personally or through unconnected persons. Numerous execution applications have been rejected and have also travelled upto the stage of the Hon'ble Supreme Court, without any relief given to any of the persons who had tried to object execution of the judgment and decree which stood in favour of the petitioner.

5. The party in person/petitioner referred to the judgment of the Hon'ble Supreme Court in case of **Periyammal (Dead Thr. Lrs.) v. V. Rajamani & Another**¹, wherein, the Hon'ble Supreme Court has categorically directed all High Courts to ensure that all

¹ 2025 INSC 329



execution proceedings are decided and disposed of within an outer limit of six (06) months, without fail. In view of the same, the party-in-person/petitioner prays that a similar direction be issued in the present civil revision petition, so as to ensure the expeditious disposal of E.P.No.42 of 2011.

6. Having considered the contents of the present civil revision petition and also taking into consideration the factual matrix of the case, more particularly, the judgment and decree dated 02.08.2006 having attained finality and though the judgment was obtained more than 18 years back, the petitioner having till date not been able to avail the fruits of the said judgment, without entering into the merits of the case, this Court deems it appropriate to dispose of the present civil revision petition in terms of the directions issued by the Hon'ble Supreme Court in case of **Periyammal (supra)**, directing the Executing Court to take up E.P.No.42 of 2011 in O.S.No.4387 of 2004 for consideration on day-to-day basis and decide the Execution Petition itself at the earliest, within an outer limit of ninety (90) days from the date of receipt of this order.



7. Accordingly, the Civil Revision Petition is disposed of.

There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

SD/-A.V.S.PRASAD
DEPUTY REGISTRAR

G

//TRUE COPY//

SECTION OFFICER

To,

1. The VII Junior Civil Judge, City Civil Court, Hyderabad.
2. One CC to Mohammad Ghouse - Party In Person [OPUC]
3. Two CD Copies

DL/PSL



2025:TSHC/41463

HIGH COURT

DATED:31/10/2025

ORDER

CRP.No.3679 of 2025



CRP IS DISPOSED OF

⑤ MT
17/11/25