

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

FRIDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

**THE HONOURABLE SMT JUSTICE K. SUJANA
CIVIL REVISION PETITION NO: 3545 OF 2025**

Between:

1. M.A Razzak, S/o Late M.A. Samad
2. M.A Rasheed, S/o late M.A. Samad
3. M.A Hai, S/o late M.A. Samad
4. M.A Mubeen, S/o late M.A. Saleem (sons son of M.A Jabbar)
5. M.A Masood, S/o late M.A. Saleem (sons son of M.A Jabbar)
6. M.A Bari, S/o late M.A. Saleem (sons son of M.A Jabbar)

Petitioners/Respondents/Defendant Nos. 8, 9, 10, 13 & 14

AND

1. Aziza Begum, W/o Abdul Rahman (died)
2. Asraf Begum, W/o Shaik Lai, H.No. 3-4-130, Kunta Galli, Bhainsa, Adilabad.
3. Putail Begum @ Anwar Begum, W/o Abdul Rauf, R/o H.No. 9-14-188, Ahmedpura Colony, Nizamabad.
4. Afari Begum, W/o Zahed, R/o Nizambad.
5. Maqbool Begum, W/o Baber Khan, R/o H.No.9-2-70, Nizamabad.
6. Abdul Razzak, S/o late A Rahman, R/o H.No.3-5-53, Bara Lmam Gaili, Bhainsa.
7. Abdul Lateef, S/o A Rahman, R/o 4-1-106, Chowdarigaili, Bhainsa.
8. Abdul Rasheed, S/o late A Wahed, R/o H.No.3-5-53, Bara Lmam Gaili, Bhainsa.
9. Abdul Jameel, S/o Late A Wahed, R/o H.No.3-5-104, Naiabadi, Bhainsa.
10. Israth Begum, S/o A. Waheed, R/o H.No.3-1-57, Street Bangalla Gaili Bhainsa.
11. Baby, Begum, W/o Sahed Jain, R/o H.No. 3-4-130, Pandarigaili, Bhainsa.
12. Tabassum Begum, W/o SK Bhaduddin, R/o 8-61, Kanobagaili, Kubeer.
13. Firdouse Begum, D/o A Wahed, R/o H.No. 3-5-53 Bara Imam Gaili, Bhainsa.
14. Anjum Begum, D/o Wahed, R/o Ho.No. 3-5-53, Bara Imam Gaili, Bhainsa.
15. Mohd, Abdul Qayyam, (died)
16. Modh Abdul Samad, (died)
17. Mohd abdul Jabbar, (died)
18. Modh Abdul Wahed, (died)
19. MA Mateen, S/o Late M.A Samad R/o Bangalagaili, Bhainsa.

20. M.A. Akthar, S/o Late M.A. Samad, Aged about 44 years, Occ. Business, R/o Bangalagaili, Bhainsa.

21. M.A. Waheed, S/o late M.A. Samad, R/o Bangalagaili, Bhainsa.

22. M.A. Raouf, S/o late M.A. Jabbar, R/o H.No.3-1-42 Bangalagaili, Bhainsa.

(Respondents 15 to 22 are not necessary parties in this CRP)

Respondents/Respondents/Defendants

WHEREAS the Petitioners above named through their Advocate Ms. TIPPAVAJHALA SAIRAMYA PRANEETHA presented this Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, being aggrieved by the Order dated 25/04/2025 in I.A. 76/2017 in O.S. 3/1 of 1951 on the file of Junior Civil Judge, Nirmal in so far as it allows the legal representatives of Defendant No. 2 and 3 to be bought on record as Defendants No.5 to 10 and as Defendants No.11 to 14 consecutively under Sec.146 of C.P.C.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri V. Ravinder Rao, Advocate appearing for Ms. TIPPAVAJHALA SAIRAMYA PRANEETHA, Advocate for the Petitioners, directed issue of notice to the Respondent Nos.2 to 14, herein to show cause as to why this CIVIL REVISION PETITION should not be admitted.

You viz:

1. Asraf Begum, W/o Shaik Lai, H.No. 3-4-130, Kunta Galli, Bhainsa, Adilabad.
2. Putail Begum @ Anwar Begum, W/o Abdul Rauf, R/o H.No. 9-14-188, Ahmedpura Colony, Nizamabad.
3. Afari Begum, W/o Zahed, R/o Nizambad.
4. Maqbool Begum, W/o Baber Khan, R/o H.No.9-2-70, Nizamabad.
5. Abdul Razzak, S/o late A Rahman, R/o H.No.3-5-53, Bara Lmam Gaili, Bhainsa.
6. Abdul Lateef, S/o A Rahman, R/o 4-1-106, Chowdarigaili, Bhainsa.
7. Abdul Rasheed, S/o late A Wahed, R/o H.No.3-5-53, Bara Lmam Gaili, Bhainsa.
8. Abdul Jameel, S/o Late A Wahed, R/o H.No.3-5-104, Naiabadi, Bhainsa.
9. Israth Begum, S/o A. Waheed, R/o H.No.3-1-57, Street Bangalla Gaili Bhainsa.
10. Baby, Begum, W/o Sahed Jain, R/o H.No. 3-4-130, Pandarigaili, Bhainsa.
11. Tabassum Begum, W/o SK Bhaduddin, R/o 8-61, Kanobagaili, Kubeer.
12. Firdouse Begum, D/o A Wahed, R/o H.No. 3-5-53 Bara Imam Gaili, Bhainsa.
13. Anjum Begum, D/o Wahed, R/o Ho.No. 3-5-53, Bara Imam Gaili, Bhainsa.

are directed to show cause on or before **17.10.2025** 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.

IA NO: 1 OF 2025

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 the further proceedings in O.S.3/1 of 1951 on the file of Junior Civil Judge, Bhainsa, Pending disposal of CRP 3545 of 2025, on the file of the High Court.

ORDER:

This Civil Revision Petition is filed aggrieved by the order dated 25.04.2025 passed in I.A.No.76 of 2017 in O.S.No.3/1 of 1951 by the Junior Civil Judge, Nirmal, whereby the trial Court allowed the petition filed under Section 146 read with 151 of C.P.C. to bring the legal representatives of defendant No.2 on record as defendant Nos.5 to 10 and the legal representatives of defendant No.3 as defendant Nos.11 to 14 on record.

The trial Court, while allowing the said petition, observed that as the matter pertains to the year 1951, the records are not available in the Court, and further noted that no prejudice would be caused to the respondents.

Heard Sri V. Ravinder Rao, learned senior counsel appearing on behalf of the petitioners.

Learned counsel for the petitioners submitted that the petitioners had applied for a certified copy of the decree and judgment in O.S. No.3/1 of 1951 under Rule 188 of the Civil Rules of Practice. The said application *vide* C.A. No.346/2017, was returned on 20.06.2017 with an endorsement stating, "On verification, entire records of the said file are not traced." He further submitted that the certified copy is not available, and although the trial Court allowed the petition stating that no prejudice would be caused to the petitioner, the petitioner contends otherwise and seeks to set aside the said order.

Considering the submissions of the learned counsel for the petitioner, issue notice to the respondents.

Learned counsel for the petitioner is permitted to take out personal service of notice on the respondents through R.P.A.D. and file proof of service.

List the matter on 17.10.2025.

In the meanwhile, the order dated 25.04.2025 passed in I.A.No.76 of 2017 in O.S.No.3/1 of 1951 by the Junior Civil Judge, Nirmal, shall remain suspended till then.

SD/-N.SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Junior Civil Judge, Nirmal.
2. Asraf Begum, W/o Shaik Lai, H.No. 3-4-130, Kunta Galli, Bhainsa, Adilabad.
3. Putail Begum @ Anwar Begum, W/o Abdul Rauf, R/o H.No. 9-14-188, Ahmedpura Colony, Nizamabad.
4. Afari Begum, W/o Zahed, R/o Nizambad.
5. Maqbool Begum, W/o Baber Khan, R/o H.No.9-2-70, Nizamabad.
6. Abdul Razzak, S/o late A Rahman, R/o H.No.3-5-53, Bara Lmam Gaili, Bhainsa.
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9. Abdul Jameel, S/o Late A Wahed, R/o H.No.3-5-104, Naiabadi, Bhainsa.
10. Israth Begum, S/o A. Waheed, R/o H.No.3-1-57, Street Bangalla Gaili Bhainsa.
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13. Firdouse Begum, D/o A Wahed, R/o H.No. 3-5-53 Bara Imam Gaili, Bhainsa.
14. Anjum Begum, D/o Wahed, R/o Ho.No. 3-5-53, Bara Imam Gaili, Bhainsa.
(for 2 to 14 by RPAD)
15. One CC to Ms.TIPPAVAJHALA SAIRAMYA PRANEETHA, Advocate [OPUC]
16. One spare copy

HIGH COURT

SKS, J

DATED:26.09.2025

LIST ON 17.10.2025

ORDER

CRP.No.3545 of 2025

SUSPENSION

