

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE: C.C.C.A. No. 172 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	15.10.2025	<u>RY, J</u> <u>I.A. No. 1 of 2025</u> This application is filed to suspend the judgment and decree dated 27.06.2025 in O.S. No. 811 of 2012 on the file of learned II Additional Chief Judge, City Civil Court at Hyderabad. Heard learned counsel for the petitioners/appellants. The suit for specific performance filed in O.S. No. 811 of 2012 was decreed by the learned II Additional Chief Judge, City Civil Court, Hyderabad, <i>vide</i> judgment and decree dated 27.06.2025. The present appeal is preferred challenging the said judgment on the basis of the dismissal of the suit against defendant No.2 when he is having a share in the suit schedule property. Further, there is an issue of limitation which was raised in the written statement but was not considered while framing the issues and passing judgment dated 27.06.2025. It is also contended that the time is essence of the contract but the same was not considered. Lastly, to the legal notice got issued by the plaintiff/respondent No.1, a reply notice dated 26.08.2012 was issued informing that the agreement of sale stands cancelled and earnest money is forfeited and no relief is sought	

for declaring the said reply notice as *void*.

For all the foregoing reasons, the petitioners/appellants pleaded that they have good case for success in the appeal.

In view of the issues raised, there shall be interim suspension of the decree dated 27.06.2025 in O.S. No. 811 of 2012 on the file of learned II Additional Chief Judge, City Civil Court at Hyderabad, till 26.11.2025.

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It is represented that respondent Nos.2 to 4 are not necessary parties to the present appeal.

Issue notice to respondent No.1.

Personal notice is permitted.

For filing proof of service, list on 26.11.2025.

RY,J
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