

HIGH COURT FOR THE STATE OF TELANGANA
AT: HYDERABAD

MAIN CASE No: Appeal Suit (SR) No.44090 OF 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	09.09.2026	<u>KL, J & SKS, J</u> This appeal is filed under Section 96 of the Code of Civil Procedure, 1908 challenging the Judgment and Decree, dated 11.12.2025, in O.S.No.1426 of 2016 on the file of the learned VIII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar. The Registry had returned the present Appeal Suit (SR) with the following objection: "Please verify and clarify as to how the present AS SR along with IA SR No. 2 of 2026 i.e., Compromise Petition is entertainable without Affidavit and signatures of all the parties - Plaintiff and all Defendants in the Petition and MOU." Learned counsel for the appellants has re-presented the present Appeal Suit (SR) stating as follows: "Respondent No. 2 to 5 not necessary parties to the AS, since they are not family members, only appellants Respondent No. 1 is a family member. Respondent No. 2 to 5 are exparte in lower court. Hence, compromise their signatures are not necessary." Perusal of record would reveal that respondent No.1/plaintiff has filed the aforesaid suit seeking	

		partition, separate possession and recovery of arrears of rent, in respect of the suit schedules A to J properties. Respondent Nos.2 to 5/defendant Nos.5 to 8 were set <i>ex parte</i> before the learned trial Court. Learned counsel for the appellants would submit that respondent Nos.2 to 5/defendant Nos.5 to 8 are not necessary parties to the present appeal and the said fact was mentioned in the cause title of the appeal itself. . As rightly contended by the learned counsel for the appellants, the learned trial Court decreed the suit in respect of suit schedule A, B, F, G and H properties holding that the respondent No.1/plaintiff is entitled for 1/10th share, appellant No.1/defendant No.1 is entitled for 3/10th share and appellant Nos.2 to 4/defendant Nos.2 to 4 are entitled for 1/5th share each, over the suit schedule A, B, F, G and H properties. The suit was not decreed against respondent Nos.2 to 5/defendant Nos.5 to 8. In light of the same, the objection raised by the Registry is over-ruled. The Registry is directed to number the present appeal suit, if the same is otherwise in order. <u>KL, J</u> <u>SKS, J</u> YNK	
--	--	---	--

--	--	--	--

--	--	--	--

