

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

THURSDAY, THE TWENTY SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SMT JUSTICE RENUKA YARA

I.A.No.2 of 2025

In

SECOND APPEAL NO: 524 OF 2025

Between:

1. Ghousia Begum, died Per LR Appellant No.2
2. Hamza Bin Omer Al Jabri, S/o Omer Bin Ali AL Jabri

Petitioners / Appellants

**(Petitioners in SA 465 OF 2025
on the file of High Court)**

AND

1. Princess Durresehwar, Children's and General Hospital, Purani Haveli, Hyderabad, Rep. by Secretary Sultan Mohiuddin.
2. Fareeda Ansar, W/o. Ansar, H.No.18-7-418/4, Rahmath Nagar, Yakutpura. Hyderabad.
3. Farhana AL Jabri., D/o Hamza Bin Omer Al Jabari, H.No.18-7-418/4, Rahmath Nagar. Hyderabad.

Respondents/D3 & 4

(Respondents in-do-)

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 execution of the judgment and decree passed by the I Senior Civil Judge. C.C.C., Hyderabad in O.S.No. 670 of 2008, 9th July 2018,, pending disposal of SA No.524 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI MOHAMMAD ADNAN, Advocate for the Petitioners and SRI MOHD SHAFIUDDIN, Advocate for the Respondent No.1, the Court made the following.

ORDER:

This application is filed by the petitioners-appellants under Section 151 CPC seeking stay of all further proceedings pursuant to the decree and judgment dated 09.07.2018 passed in O.S.No.670 of 2008 by the learned First Senior Civil Judge, City Civil Court, Hyderabad.

The 1st respondent-plaintiff filed O.S.No.670 of 2008 seeking eviction and injunction. The 1st respondent-plaintiff leased out the hospital canteen to the appellants-defendants for a period of three years and the said lease was oral and the rent is payable on or before 5th of every month. When the said canteen was found to be causing inconvenience to the 1st respondent-plaintiff and the appellants-defendants failed to pay the rents, new building was constructed by the 1st respondent-plaintiff. Then, the 1st respondent terminated the lease and issued quit notice under section 106 of the Transfer of Property Act, and thereafter filed the said suit. After hearing the parties and on perusing the material available on record, the trial Court decreed the suit. Aggrieved thereby, the appellants-defendants filed A.S.No.169 of 2018. The first appellate Court dismissed the appeal by confirming the decree and judgment passed by the trial Court.

Since there are substantial questions of law related to very maintainability of the suit and since the balance of convenience is in favour of the appellants, stay granted on all further proceedings pursuant to the decree and judgment dated 09.07.2018 passed in O.S.No.670 of 2008 by the First Senior Civil Judge, City Civil Court, Hyderabad, till the next date of hearing.

SD/-A.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The I Senior Civil Judge. C.C.C., Hyderabad.
2. Princess Durresehwar, Children's and General Hospital, Purani Haveli, Hyderabad, Rep. by Secretary Sultan Mohiuddin.
3. Fareeda Ansar, W/o. Ansar, H.No.18-7-418/4, Rahmath Nagar, Yakutpura. Hyderabad.
4. Farhana AL Jabri., D/o Hamza Bin Omer Al Jabari, H.No.18-7-418/4, Rahmath Nagar. Hyderabad.

(for 2 to 4 by SPAD)

5. One CC to SRI MOHAMMAD ADNAN, Advocate [OPUC]
6. One CC to SRI MOHD SHAFIUDDIN, Advocate [OPUC]
7. One spare copy

HIGH COURT

RY, J

DATED:27.11.2025

LIST ON 08.01.2026

ORDER

I.A.No.2 of 2025

IN

SA.No.524 of 2025



STAY