

HIGH COURT FOR THE STATE OF TELANGANA**MAIN CASE: C.C.C.A No.320 of 2018****PROCEEDING SHEET**

Sl. No	DATE	ORDER	OFFICE NOTE
	05.05.2026	<u>KL,J & BRMR,J</u> <u>I.A.No.1 of 2026</u> Heard Sri T.Sharath, learned counsel for the petitioner, Sri M.V.Pratap Kumar, learned counsel for respondent No.8. Petitioner is seeking injunction restraining respondents, their agents, etc., from any construction, change of nature of property, creation of any encumbrances, alienating the suit schedule property to third parties. Sri T.Sharath, learned counsel for the petitioner would contend that 8th respondent is proceeding with the construction in respect of 'C' and 'D' schedule properties. It is the specific contention of Sri M.V.Pratap Kumar, learned counsel for the respondent No.8 that according to the petitioner (P.W.1), suit schedule property is plot Nos.21 and 24. The subject property is in plot No.22. The owners of plot No.24, i.e., defendant Nos.1 and 2, have already completed construction in respect of plot No.24. In proof of the same, he has filed photographs. He has also referred to admissions made	

		by P.W.1 during cross-examination. P.W.1 in his cross-examination categorically admitted that he has gone through the documents filed by him in the suit. The suit property mentioned in Exs.A1 to A4 agreements relates to plot Nos.21 and 24. In paragraph No.62 of the impugned judgment, learned trial Court gave specific finding that P.W.1 in his cross-examination dated 21.04.2008 categorically admitted that the property mentioned in Exs.A1 to A4 agreements relates to plot Nos.21 and 24. Therefore, plaintiff cannot claim any part in the adjacent Northern plots bearing No.22 and 23 purchased by defendant Nos.7 to 9 from defendant No.5 society. In spite of the same, plaintiff impleaded defendants Nos.7 to 9 as parties to the suit and he did not pray for any relief against them. Since, no relief is sought against defendant Nos.7 to 9, question of limitation does not arise and the suit as it is framed is not maintainable against defendant Nos.7 to 9. Respondent No.8 has filed counter contending that he has obtained building permission dated 02.09.2024 from Greater Hyderabad Municipal Corporation (GHMC) for construction of one cellar + ground floor + four upper floors. Therefore, he is proceeding with the construction strictly in accordance with the building permission. Several contentions and grounds raised by the parties can be considered at the time of hearing the	
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	appeal finally. This appeal is of the year 2018. In the light of the same, we are not inclined to grant any relief to the petitioner. This application is liable to be dismissed, and accordingly the same is dismissed. <u>CCCA No.320 of 2018</u> List on 23.06.2026 In the meanwhile, Registry is directed to call for the original records in O.S.No.246 of 2000 from the learned XI Additional Chief Judge, City Civil Court, Hyderabad, and put up in the bundle. <u>KL,J</u> <u>BRMR,J</u> kvs	
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