

THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

MONDAY, THE FIFTH DAY OF JANUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SMT JUSTICE RENUKA YARA

IA No. 2 OF 2025

IN

SA NO: 612 OF 2025

Between:

1. Mohd. Abdul Rasool, S/o. Mohd. Abdul Khader.
2. Mohd. Abdul Nayeem, S/o. mohd. Abdul Rasool.

... Appellants/Appellants/Defendant Nos. 1 & 2
(Appellants in SA 612 OF 2025
on the file of High Court)

AND

1. Abdul Faiz Zainuddin Ali, S/o. Sirajuddin Ali, Aged about 51 years, Occ. Service, Presently residing at King Khalid Building, Khaldia Towers, Innam Faisal Bin Turki, Al-Kharzaan Street, Riyadh 11417, KSA,
Rep. by hisGPa holder,Smt. Masiha, W/o. Mohd. Shakeel Aged about 45 years, Occ. Household, R/o. Flat No. 102, First Floor, Skillaboard, Lakdikapul, Hyderabad.

Respondent /Respondent /Plaintiff

2. Sirajuddin Ali, S/o. Late Mohd. Abu Ali, Aged about 88 years, Occ. Pensioner, R/o. H.No. 5-1-652/1, Troop Bazar, Hyderabad.
(Respondent No. 2 is not necessary Party to this Second Appeal)

...Respondent/Defendant No. 3
(Respondents in-do-)

Counsel for the Petitioners : Sri D MADHAVA RAO

Counsel for the Respondents :---

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 operation of the common Judgment and Decree dt. 03.09.2024 passed in AS. No. 36 of 2018 on the file of XXVI Additional Chief Judge, City Civil Court at Hyderabad, pending disposal of SA No. 612 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

This application is filed to grant stay of the operation of the decree dated 03.09.2024 passed in A.S. No. 36 of 2018 on the file of learned XXVI Additional Chief Judge, City Civil Court, Hyderabad.

Heard learned counsel for the petitioners (appellants).

In a suit viz., O.S. No. 1653 of 2004 for declaration of sale deed document No. 2522 of 2003 dated 14.08.2003 as null and void and for consequential delivery of the vacant possession of the suit schedule property, the Trial Court partly decreed the suit partly granting the relief of declaration of sale deed document No.2522 of 2003 dated 14.08.2003 as null and void but denied to grant delivery of possession of the suit schedule property. Aggrieved by the same, the appellants (petitioners) preferred A.S. No. 36 of 2018 and the First Appellate Court dismissed the same confirming the relief of declaration of title and also granted relief of delivery of possession of the suit schedule property in favour of the respondent. Aggrieved by the same, the present Second appeal is preferred along with the present Interlocutory Application seeking stay of operation of the decree dated 03.09.2024 passed by the First Appellate Court in A.S. No. 36 of 2018.

The appellants (petitioners) are in occupation of the suit schedule property from the year 2003 onwards till date. Therefore, there shall be interim stay of the operation of the decree dated 03.09.2024 passed in A.S. No. 36 of 2018 on the file of learned XXVI Additional Chief Judge, City Civil Court, Hyderabad, till 09.03.2026.

SD/-S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XXVI Additional Chief Judge, City Civil Court at Hyderabad.
2. The Additional Judge-cum-VI Senior Civil Judge, City Civil Court at Hyderabad.
3. Smt. Masiha, W/o. Mohd. Shakeel Aged about 45 years, Occ. Household, R/o. Flat No. 102, First Floor, Skillaboard, Lakdikapul, Hyderabad.(on behalf of R1: Abdul Faiz Zainuddin Ali, being GPa holder)(By SPAD)
4. One CC to SRI. D MADHAVA RAO Advocate [OPUC]
5. One spare copy

HIGH COURT

RY, J

DATED:05/01/2026

ORDER

I.A.No.2 of 2025

IN

SA.No.612 of 2025



INTERIM STAY