

HIGH COURT FOR THE STATE OF TELANGANA: HYDERABAD

MAIN CASE NO: **Second Appeal No.552 of 2025**

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
2.	15.12.2025	<u>RY,J</u> <u>S.A.No.552 of 2025</u> 1. Heard both sides. 2. The present Second Appeal is preferred by the defendant/respondent/appellant herein aggrieved by the judgment and decree dated 18.08.2025 in A.S.No.75 of 2015 on the file of the XI Additional Chief Judge, City Civil Court, Hyderabad, ('First Appellate Court'), reversing the judgment and decree dated 19.01.2015 in O.S.No.1388 of 2014 on the file of the VII Junior Civil Judge, City Civil Court, Hyderabad, ('Trial Court'). 3. Initially, respondents herein filed suit <i>vide</i> O.S.No.1388 of 2014 before the Trial Court seeking recovery of possession of the suit schedule property consisting of property bearing No.8-3-320/10/3/B admeasuring 47 square yards situated at Ambedkarnagar, Yellareddyguda, Hyderabad. The said suit was dismissed and aggrieved by the same the	Transferred to Daily order/I/O folder before correction.

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		respondents herein preferred A.S.No.75 of 2015 on the file of the First Appellate Court. The said appeal was allowed setting aside the judgment and decree of the Trial Court directing the appellant herein to hand over the vacant possession of the suit schedule property within three months from the date of judgment and decree in A.S.No.75 of 2015. Aggrieved by the same the present Second Appeal is preferred. 4. The following substantial questions of law arise for consideration in the present Second Appeal: 1. Whether perverse findings are given by the First Appellate Court with respect to dismissal of suit in O.S.No.70 of 2007 on the file of the II Additional Chief Judge, City Civil Court, Hyderabad, as abated when in C.M.A.No.495 of 2019 by order dated 18.02.2022 the said suit was restored? 2. Whether perverse findings are given with respect to the suit schedule property being assigned land which is prohibited from alienation only for a period of 10 years from the date of issuance of patta? 5. Admit. 6. Call for records from the concerned Courts.	

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		7. List on 16.02.2026. <u>I.A.No.1 of 2025</u> 1. Heard both sides. 2. The present Second Appeal is preferred by the defendant/respondent/appellant/petitioner herein aggrieved by the judgment and decree dated 18.08.2025 in A.S.No.75 of 2015 on the file of the XI Additional Chief Judge, City Civil Court, Hyderabad, ('First Appellate Court'), reversing the judgment and decree dated 19.01.2015 in O.S.No.1388 of 2014 on the file of the VII Junior Civil Judge, City Civil Court, Hyderabad, ('Trial Court'). 3. Initially, respondents herein filed suit <i>vide</i> O.S.No.1388 of 2014 before the Trial Court seeking recovery of possession of the suit schedule property consisting of property bearing No.8-3-320/10/3/B admeasuring 47 square yards situated at Ambedkarnagar, Yellareddyguda, Hyderabad. The said suit was dismissed and aggrieved by the same the respondents herein preferred A.S.No.75 of 2015 on the file of the First Appellate	

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		Court. The said appeal was allowed setting aside the judgment and decree of the Trial Court directing the appellant herein to hand over the vacant possession of the suit schedule property within three months from the date of judgment and decree in A.S.No.75 of 2015. Aggrieved by the same the present Second Appeal is preferred along with the present I.A. 4. The appellant/petitioner herein is still in occupation of the suit schedule property and C.C.C.A. is pending with respect to dismissal of the suit in O.S.No.70 of 2007 filed seeking specific performance by the appellant/petitioner herein. Therefore, in view of the substantial questions of law framed by this Court, the operation of the decree dated 18.08.2025 in A.S.No.75 of 2015 passed by the First Appellate Court shall stand suspended till the next date of hearing. 5. List on 16.02.2026. RY,J GVR	