

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

**FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE SUJOY PAUL

CIVIL REVISION PETITION NO: 3723 OF 2024

Petition under Article 227 of the constitution of India RW Section 151 of C.P.C aggrieved by the Order dated 14.11.2024 Passed in in Copy Application No.26527 of 2024 dated 23.10.2024 in E.P. No.194 of 2024 on the file of the court of the Chief Judge, City Civil Court, Hyderabad.

Between:

Mohd. Rafi, Son of Late Gulam Dastagir, Aged about 60 years, Occupation. Business, Resident of H.No.8-2-309/3/B, Road No.14, Banjara Hills, Hyderabad, Telangana State.

...Petitioner/Petitioner/Judgment Debtor No.10

AND

1. Mir mohd. Rasheed ali khan, Son of Late Mir Hussain Ali Khan (Died per LRs.1 and 2)
2. Fateh Kiswari, Wife of late Mir Mohd Rasheed Ali Khan, (Died per LRs 4 to 7)
3. Ameer Sultana @ Maherunnisa, Wife of late Mir Mohd Rasheed Ali Khan, (Died per LRs 8 to 10)
4. Syed Raunaq Ali Khan, Son of late Mir Mohd Rasheed Ali Khan, Resident of H.No.23-1-365, Hussaini Kothi, Kotla Ali Jah, Hyderabad
5. Syed Gazanfur Ali Khan, Son of late Mir Mohd Rasheed Ali Khan, Resident of H.No.23-1- 365, Hussaini Kothi, Kotla Ali Jah, Hyderabad
6. Naquiya Zohra, Daughter of late Mir Mohd Rasheed Ali Khan, Resident of H.No.23-1-365, Hussaini Kothi, Kotla Ali Jah, Hyderabad
7. Aliya Zohra, Daughter of late Mir Mohd Rasheed Ali Khan, Resident of H.No.23-1-365, Hussaini Kothi, Kotla Ali Jah, Hyderabad
8. Kaneez E Marium, Daughter of Late Ameer Sultana @ Meharunnissa, aged about 36 years, Occ. Housewife, Resident of USA, represented by her General Power of Attorney Syed Ahmed Hussaini Son of Late Ameer Sultana @ Meerunnissa, Aged about 36 years, Occ. Business, R/o. H.No.23-1-365, Hussaini Kothi, Kotla Ali Jah, Hyderabad
9. Syed Ahmed Hussaini, Son of Late Ameer Sultana @ Meerunnissa, Aged about 36 years, Occ. Business, R/o. H.No.23-1-365, Hussaini Kothi, Kotla Ali Jah, Hyderabad

10. Kaneez E Taherea, Wife of S. M. Kumail Kinmani, aged about 35 years, Occ. Housewife, Resident of H.No.6/ 11, Grape Garden, Austin Town, Opp. BDA Complex, Bangalore South, Viveknagar, Bangluru, Karnataka Represented by her General Power of Attorney Syed Ahmed Hussaini Son of Late Ameer Sultana @ Meerunnissa, Aged about 36 years, Occ. Business, R/o. H.No.23-1-365, Hussaini Kothi, Kotla Ali Jah, Hyderabad
11. B. Lalu naik, Son of Bakwat Bathia Naik, Aged about 55 years, Resident of H.No.8-2-293/31, Road No.14, Banjara Hills, Hyderabad
12. Ramanatham Bhimlal Naik, Son of Kotaiah, Aged about 50 years, Resident of H.No.8-2- 293/31, Road No.14, Banjara Hills, Hyderabad
13. K. Damodhar Reddy, Aged about 52 years, Resident of H.No.8-2-293/ 31, Road No.14, Banjara Hills, Hyderabad
14. P. Rajeshwar Sawji, Son of Jagadish Pershad, Aged. Major, Resident of H.No.13-2-751, Rahimpura, Hyderabad
15. Kishan Reddy, Aged. Major, Resident of Flat No.109, Block-D, High Line Complex, Road No.12, Banjara Hills, Hyderabad
16. Shaik Maqbool Ahmed, Resident of Shop No.8, Fatesh Nagar Maidan, Dabeerpura, Hyderabad
17. Gafoorunnisa Begum (DIED), Hyderabad
18. Mohd Hafeez (DIED), Hyderabad
19. Mohd. Shafi (DIED), Hyderabad
20. mohd. sami, Son of Late Gulam Dastagir, Aged about 53 years, Occ. Business, Resident of H.No.8-2-293/31, Road No.14, Banjara Hills, Hyderabad
21. Mohd. Omer, Son of Late Mohd. Yousuf, Aged about 70 years, Occ. Business, Resident of H.No.8-2-293/31, Road No.14, Banjara Hills, Hyderabad
22. Hussain Mohammed Bhai, Aged about 40 years, Resident of H.No.8-2-293, Road No.14, Banjara Hills, Hyderabad
23. The Special Officer and Competent Authority, Urban Land Ceiling, Hyderabad
24. The Collector, Hyderabad District Urban, Telangana State. **(RESPONDENT Nos.11 TO 24 ARE NOT NECESSARY BUT PROPER PARTY)**
25. The Chief Judge, City Civil Court, Hyderabad District, Telangana State. **(NOT NECESSARY BUT PROPER PARTY)**
26. The Superintendent, Copy Application Section, City Civil Court, Hyderabad District, Telangana State. **(NOT NECESSARY BUT PROPER PARTY)**

...Respondent No.25 and 26

IA NO: 1 OF 2024

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 all further proceedings in E.P. No.194 of 2024 on the file of the Chief Judge, City Civil Court, Hyderabad.

Counsel for the Petitioner : Sri V Ramchander Goud

Counsel for the Respondents: _ _ _

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE SUJOY PAUL

CIVIL REVISION PETITION No.3723 of 2024

ORDER:

Sri M.Surender Rao, learned Senior Counsel appearing on behalf of Sri V.Ramachander Goud, learned counsel for the petitioner submits that in order to substantiate the objection regarding delay in filing the E.P., the petitioner wanted certain docket orders, for which, he preferred a copy application which is evident from page No.14. The said application was registered as C.A.No.26527 of 2024 on 23.10.2024 and the same was rejected by assigning one line in the order i.e., *"Return-Office note can't be Issue. Hence C.A. not complied."* Learned counsel further submits that the said documents are necessary to establish there is a delay in filing the E.P. The E.P. petitioner therein played fraud with the Court. There should not have been any objection in providing docket orders, which are not confidential documents.

2. Considering the fact that the said application dated 23.10.2024 is rejected without assigning any reason, I deem it proper to set aside the said finding and revive the application dated 23.10.2024 on the file of the trial Court. The trial Court

shall rehear the petitioner on the said application and pass a reasoned order, in accordance with law and thereafter, may proceed with E.A.No.342 of 2024 in E.P.No.194 of 2024.

3. Accordingly, the Civil Revision Petition is **disposed of** without expressing any opinion on merits of the case. No costs.

Interlocutory applications, if any pending, shall also stand closed.

//TRUE COPY//

Sd/- A.V.S. PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chief Judge, City Civil Court, Hyderabad (With records, if any)
2. One CC to Sri V Ramchander Goud, Advocate [OPUC]
3. Two CD Copies

ADK/gh

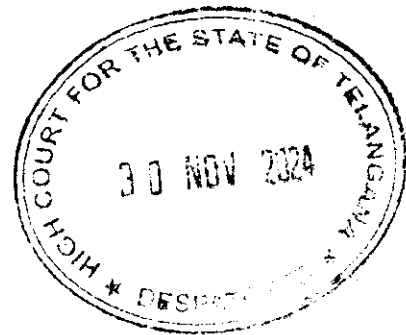
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HIGH COURT

DATED:29/11/2024

ORDER

CRP.No.3723 of 2024



**DISPOSING OF THE CRP
WITHOUT COSTS**

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30/11/24
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