

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 71 of 2020
[@ Special Leave to Appeal (C) No(s). 1596/2018]

LAKUDARAM PRABHU @ PRABHAKAR GOUD Appellant (s)

VERSUS

KATTA VIJAYA LAXMI & ORS. Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for the appellant. Despite service, no one is present on behalf of the respondents.

An interlocutory application bearing I.A. No. 27 of 2015 in O.S. No. 2 of 2015 was filed by the plaintiff under Order 39 Rule 1 & 2 r/w Section 151 of the Code of Civil Procedure before the Trial Court. The order of *status quo* was passed by the Trial Court but was vacated by subsequent order dated 17.12.2015. A miscellaneous appeal against the said order was filed before the High Court which was dismissed on 22.06.2017.

This Court on 15.01.2018 passed an interim order directing the parties to maintain status quo as regards item Nos. 2 and 3 of the scheduled property. The said order is in operation in the present appeal.

Learned counsel for the appellant submits that the issues have been framed in the suit and the suit is still pending for consideration.

In the facts of the present case especially when the order of

status quo passed by this Court with regard to item Nos. 2 and 3 of the scheduled property is operating for the last two years, we are of the view that no useful purpose shall be served in keeping this appeal pending.

The civil appeal is disposed of providing that the order of *status quo* with regard to item Nos. 2 and 3 of the scheduled property shall be maintained till the disposal of the suit. Looking into the nature of the suit, we observe that the suit shall be expeditiously disposed of. We further make it clear that we have not expressed any opinion on the merits of the case and the Trial Court shall decide the suit as per the pleadings and evidence available on record.

.....J.
[ASHOK BHUSHAN]

.....J.
[M.R. SHAH]

NEW DELHI;
January 8, 2020.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 1596/2018

(Arising out of impugned final judgment and order dated 22-06-2017 in CMA No. 92/2016 passed by the High Court Of Judicature At Hyderabad For The State Of Telangana And The State Of Andhra Pradesh)

LAKUDARAM PRABHU @ PRABHAKAR GOUD

Petitioner(s)

VERSUS

KATTA VIJAYA LAXMI & ORS.

Respondent(s)

(IA No. 2204/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 08-01-2020 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Ms. Bina Madhavan, Adv.
Ms. Swati Bhardwaj, Adv.
For M/S. Lawyer S Knit & Co.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The civil appeal is disposed of in terms of the signed order.

Pending applications stand disposed of.

(MEENAKSHI KOHLI)
COURT MASTER

(RENU KAPOOR)
COURT MASTER

[Signed order is placed on the file]