

IN THE COURT OF THE PRINCIPAL SENIOR CIVIL JUDGE:  
RANGA REDDY DISTRICT: AT NAGOLE:

CAVEAT PETITION NO. 862 OF 2009

(TO BE FILED)

O.S.NO. OF 2009

BETWEEN:

1. M/s. Modi Venutres  
A partnership firm rep. by  
Soham Modi, s/o Sri Satish Modi,  
Having office at 5-4-187/3 & 4, II Floor,  
Soham Mansion, M.G. Road, Secunderabad
2. M/s. Sri Sai Builders,  
Rep. by authorized representative  
Nareddy Kiran Kumar, s/o Madhusudhan Reddy,  
Plot No.275, Venkateswara Nagar, Meerpet,  
Moula-ali, Hyderabad-40

CAVEATOR/PETITIONERS

AND

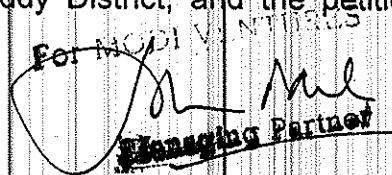
M/s. Gulmohar Gardens Owners Association  
Rep. by Secretary  
Having office at Survey No.93 to 95, Mallapur,  
Hyderabad-500 076

RESPONDENT/RESPONDENT

AFFIDAVIT

I, Soham Modi, s/o Sri Satish Modi, Occ. Business, Having office at 5-4-187/3 & 4, II Floor, Soham Mansion, M.G. Road, Secunderabad, do hereby solemnly affirm and state on oath as follows;

1. I submit that I am the Caveator herein and authorized representative of the first caveat petitioner as such I am well acquainted with the facts of the case. I am also deposing on behalf of the 2<sup>nd</sup> petitioner.
2. I submit that the first and the second petitioners are builders and developers of considerable reputation and integrity. I submit that the Petitioners have initially have acquired about Ac 4-00 of land in survey No.93 to 95, Mallapur, Uppal Mandal, Ranga Reddy District, and subsequently acquired to an extent of Ac1-08 guntas in survey No.93 to 95, Mallapur, Uppal Mandal, Ranga Reddy District, and the petitioners

For MODI VENUTRES  
  
Managing Partner

2/13

have constructed 5 blocks (A-E) in phase one and the petitioners are now constructing two blocks (F & G) in Phase-II after obtaining construction permission from GHMC.

3. I submit that the respondent association is consisting of residents of the apartments constructed in block A-E and while the petitioners were proceeding with the construction some of the office bearers of the respondent have objected to the same. I submit that the respondent association may file a suit in this Honorable Court against the petitioners and attempt to obtain ex parte ad interim orders.
4. I submit that I am filing this caveat petition seeking notice to be issued to the petitioners in the event of the respondent filing a suit against the petitioners seeking notice to be issued to the petitioners before passing of any ex parte ad-interim orders against the petitioners in respect of the land admeasuring Ac 5-08 i.e., Ac 4-00 and Ac 1-08 in survey No.93, 94, 95, Mallapur village, Uppal Mandal, R.R.Dist.,.
3. I submit that I have sent the copy of the Caveat Petition to the respondent by Registered Post Acknowledgement Due as required by the Rules and postal receipt is herewith filed for proof of the same.
6. I submit that I have paid a fixed Court Fee of Rs.10/- Rule 295(5) of Civil Rules of Practice.

It is, therefore, prayed that this Hon'ble Court may be pleased to issue notice, in the event of the respondent filing any suit against the petitioners in respect of the schedule properties before passing any ex parte ad-interim order/s, to this Petitioners/Caveators or their counsel, M/s. M/s. Vedula Venkata Ramana, Peri Venkata Ramana, Peri Prabhakar, Rasheeda Thabassum, Advocates, having Office at 3-5-801, Hyderguda, Bharatiya Vidya Bhavan Lane, Hyderabad -29 and pass such other order or orders in the interest of justice.

Sworn and signed before me on this the 03<sup>rd</sup> day of August, 2009, at Hyderabad.

For MCD

DEPONENT

Advocate

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AND

M/s. Gulmohar Gardens Owners Association  
Rep. by Secretary  
Having office at Survey No.93 to 95, Mallapur,  
Hyderabad-500 076

RESPONDENT/RESPONDENT

**PETITION FILED UNDER SECTION 148-A OF CIVIL PROCEDURE CODE**

For the reasons stated in the accompanying affidavit, the caveator/Petitioners prays that this Hon'ble Court may be pleased to issue notice in the event of the respondent filing any suit against the petitioners in respect of the schedule properties before passing any ex parte ad-interim order/s, to this Caveator or his counsel, M/s. Vedula Venkata Ramana, Peri Venkata Ramana, Peri Prabhakar, Rashida Thabassum, Advocates, having Office at 3-5-801, Hyderguda, Bharatiya Vidya Bhavan Lane, Hyderabad -29 and pass such other order or orders in the interest of justice.

Hyderabad,  
03-08-2009.

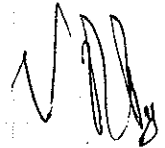
  
COUNSEL FOR THE CAVEATOR

**SCHEDULE OF PROPERTY**

All that property land admeasuring acres 4 in survey No.93, 94, 95 and acres 1.2 in Survey No. 93, 94, 95, i.e., total 5.08 acres Mallapur village, Uppal Mandal, R.R.Dist.,

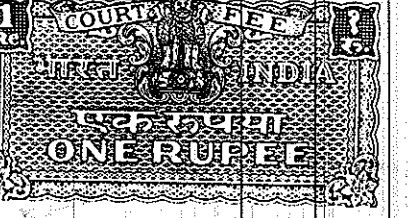
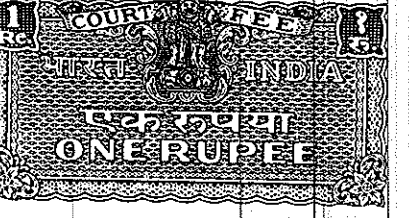
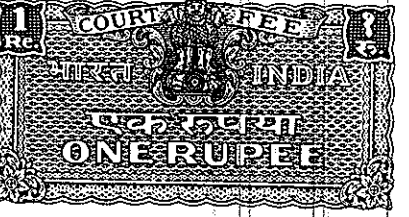
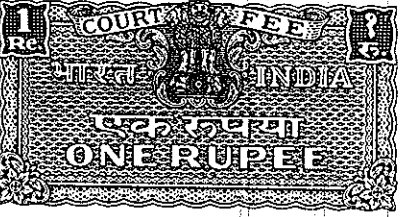
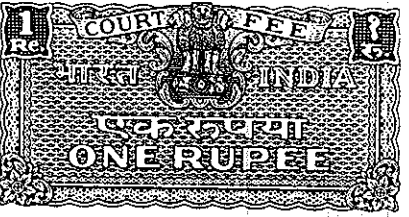
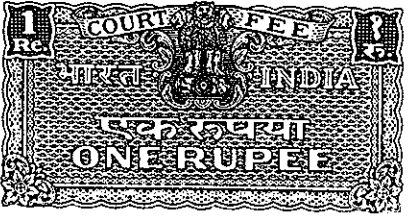
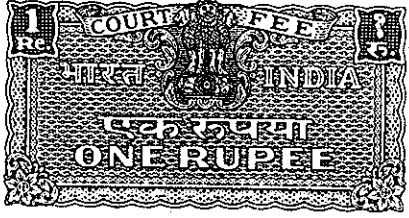
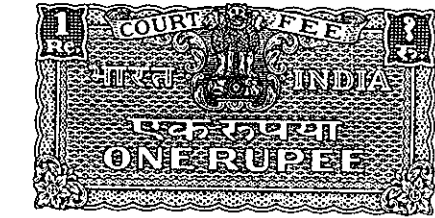
NORTH: Land in Sy.No.95  
SOUTH: way to Shakti Nagar and land in S.No.101 and neighbours plot  
EAST: land in S.No.101 and HUDA layout  
WEST: land in s.no.92

Hyderabad,  
03-08-2009.



COUNSEL FOR THE CAVEATOR

Sl. No.	Description of Property	Area (Acres)	Survey No.	Other Details
1	Land in Sy.No.95	4.00	93, 94, 95	
2	Way to Shakti Nagar and land in S.No.101 and neighbours plot	1.08	93, 94, 95	
3	Land in S.No.101 and HUDA layout	0.00	93, 94, 95	
4	Land in s.no.92	0.00	93, 94, 95	
<b>Total</b>		<b>5.08</b>		



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2. M/s. Sri Sai Builders,

Caveat petitioners

AND

M/s. Gulmohar Gardens Owners  
Association Rep. by Secretary

Respondents

PETITION FILED UNDER SECTION  
148-A OF CIVIL PROCEDURE CODE

FILED ON: 03-08-2009

FILED BY:

VEDULA VENKATA RAMANA  
Peri Venkata Ramana,  
Peri Prabhakar,  
Rashida Thabassum,  
Advocates  
3-5-801, HYDERGUDA  
HYDERABAD-29  
COUNSEL FOR CAVEATOR