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**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

CAVEAT PETITION No. _____ of 2009

IN
A.S. NO. _____ OF 2009

***Against the orders dated 22.07.2009 in O.S.
No.1223 of 2007 on the file of II Addl. Senior
Civil Judge, Ranga Reddy District at L.B.Nagar***

BETWEEN:

M/s. Summit Builders
Rep. by its Partner Sri Soham Modi ... Caveat Petitioners

And

G.Balakrishna ... Respondents

AFFIDAVIT

I, Soham Modi S/o Sri Satish Modi, aged 37 years, occupation: Business, R/o 5-4-187/3 & 4, III Floor, Soham Mansion, M.G.Road, Secunderabad, do hereby solemnly affirm and state on oath as follows:

1. I am the Partner of the Caveat Petitioner herein and Defendant in the above suit and as such I am well aware of the facts deposed hereunder.
2. I submit that the Respondent herein has filed a Suit for specific performance of Agreement bearing O.S.No.1223 of 2007 on the file of II Addl. Senior Civil Judge, Ranga Reddy District at L.B.Nagar.
3. I submit that the Trial Court was pleased to dismiss the above suit filed by the Respondent for specific performance on merits vide orders dated 22.07.2009.
4. I apprehend that the Respondent may file an appeal before this Hon'ble Court against the Orders dated 22.07.2009 passed in O.S.No. 1223 of 2007 on the file of II Addl. Senior Civil Judge, Ranga Reddy District at L.B.Nagar basing on false and concocted grounds and if any interim orders are passed by this Hon'ble Court without notice to the Petitioner, I will be put to irreparable loss and hardship.

Contd..2..



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5. The Caveat Petitioner have sent the copy of this caveat petition to the Respondent under Registered Post acknowledgement due and the postal receipts are filed herewith.

6. A fixed court fee of Rs. _____ is paid herewith under Article 18 Schedule (II) of A.P.C.F and S.V.Act.

It is, therefore, prayed that a Caveat be lodged on behalf of Petitioner and notice be issued before any interim order is passed in any A.S. that may be preferred by the Respondent against the Orders dated 22.07.2009 passed in O.S.No. 1223 of 2007 on the file of II Addl. Senior Civil Judge, Ranga Reddy District at L.B.Nagar in the interest of justice, as otherwise the Petitioners would be put to irreparable loss.

Sworn and signed before me
on this the 21st day of December, 2009
at Hyderabad.


DEPONENT

ADVOCATE / HYDERABAD

CAVEAT PETITION FILED UNDER SECTION 148-A OF C.P.C.

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

CAVEAT PETITION No. _____ of 2009

A.S. NO. _____ IN _____ OF 2009

BETWEEN:

M/s. Summit Builders,
a registered partnership firm
having office at 5-4-187/3 & 4,
III Floor, Soham Mansion, M.G.Road,
Secunderabad rep. by its Partner
Mr.Soham Modi S/o Sri Satish Modi
Aged 37 years.

... Caveat Petitioners

And

G.Balakrishna S/o late G.T.Swamy
Aged major, occ: Business
R/o Plot No.111, Lalitha Nagar
Ramnagar Gundu, Adikmet,
Hyderabad.

... Respondents

For the reasons stated in the accompanying affidavit, the Petitioner prays that a Caveat be lodged on behalf of Petitioner and notice be issued before any interim order is passed in any interim order is passed in any A.S. that may be preferred by the Respondent against the Orders dated 22.07.2009 passed in O.S.No. 1223 of 2007 on the file of II Addl. Senior Civil Judge, Ranga Reddy District at L.B.Nagar and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

HYDERABAD

DATE: 21.12.2009

COUNSEL FOR CAVEAT PETITIONER

HYDERABAD DISTRICT

IN THE HIGH COURT OF
JUDICATURE OF A.P.
AT HYDERABAD

CAVEAT PETITION

No. of 2009

In
A.S. NO. OF 2009

CAVEAT PETITION FILED
UNDER SEC. 148 (A) C.P.C.

Filed on: 21.12.2009

Filed By:

Sri C. BALA GOPAL (1325)
ADVOCATE

Address for service:

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