

**IN THE COURT OF THE XX JUNIOR CIVIL JUDGE, CITY CIVIL
COURT, HYDERABAD**

MONDAY THE 6th DAY OF NOVEMBER, 2017.

**PRESENT: SRI B.SRINIVASULU,
XX JUNIOR CIVIL JUDGE,**

I.A.No.859 OF 2017

IN

O.S.No.3180 OF 2016

Between:

Ms. Sajda Sultana, D/o. Sri Abdul Razak, Aged about 29 years, Occ:
Business, M/s. Protos 3rd floor 309 & 310-B Methodist Complex,
Chirag Ali Lane, Abids, Hyderabad.

...Petitioner/Plaintiff

A n d

1. M/s. Modi Builders Methodist complex partnership firm, Office
at:5-4-187/3&4 M.G. Road Secunderabad.
2. Sri Soham Modi, S/o. Sri Satish Modi, Aged about 47 years, Occ:
Business, R/o.at:5-4-187/3&4 M.G. Road Secunderabad.
3. Suresh Bajaj, S/o. Late Sri Paramanand Bajaj, Aged about 60
years, Occ: Business, R/o.at:5-4-187/3&4 M.G. Road Secunderabad.

...Respondents/Defendants

This Petition coming before me in the presence of Sri
Laxmikanth T Vukkalakar, Advocate for Petitioner and Sri
C. Balagopal, Advocate for Respondents and the matter having stood
over for consideration till this day, this Court delivered the following:

ORDER

This Petition is filed for amendment of plaint at Para-6 (a).

CERTIFIED PHOTOCOPY

1. The amendment sought by the Petitioner is under Para-6 (a) "Plaintiff submits that the real fact is that after receiving the vacant possession the Plaintiff deposited rent and amenities of Rs.24,000/- (Twenty Four thousand Rupees only) and deposited Rs.75,000/- towards the security deposit through bank and the Plaintiff started renovation of vacant premises and invested Rs.12,00,000/- to Rs.15,00,000/- for purchase of interior material like fall ceiling, painting colours, Lupum, cement bags and plaster of Paris bags and wooden furniture and after purchasing these materials the Plaintiff started renovation work in the Month of April, 2016 and the Defendants also started construction work on Terrace of the Building as Fourth floor while doing construction work they used heavy water for curing the cement pillars and slab, then the terrace slab started leaking due to old construction, i.e., the rent premises slab started leakage, due to that interiors of the rent premises got damaged (photos of interior damage are filed). And the same was intimated by Plaintiff's partner Mr. Rahul to Defendants through phone, the same was received by the Defendant and caused reply through e-mail admitting the same and agreed for repair of damages. It is submitted that the Defendants sent e-mail contains improper conditions, as a result the plaintiff and her partner rejected, and the Plaintiff intimated on phone to defendants that after compensating the damages they will pay the rents. As to that condition, the Defendants agreed and accepted for not paying the rents and assured that for settle the issue very soon, but the Defendants herein has failed to comply the same nor paid the damages occurred to the Plaintiffs as agreed by the Defendants. I further submit that for wrongful a gain, the Defendants herein has

CERTIFIED PHOTOCOPY



filed Eviction Suit vide O.S.No.1232/2016 on the file of the Hon'ble I Senior Civil Judge, City Civil Courts, Hyderabad with all false and baseless allegations and the same is pending for adjudication".

2. Counter filed by the Respondent/Defendant mainly pleads the proposed amendment in any way not support the case of the petitioner the same pleas has been taken by the Petitioner. In her Written Statement filed by her O.S.No.1232 of 2016 on the file of Hon'ble I Senior Civil Judge, the suit is filed for simple injunction the respondent taken steps in the Court of law for filing of suit for eviction and recovery of arrears of rent. The petitioner is contesting the suit, the respondent had filed an application for the deposit of arrears of rents and also for future rents. Petitioner inspite of order failed to deposit the rent. Hence, requested to dismiss the petition.

Heard both.

3. The suit is filed by the Petitioner for Temporary Injunction I.A.No.161/2016 filed by this Petitioner for Temporary Injunction also dismissed. Respondent has filed eviction case after giving prior notice to counter blast eviction case suit is filed. That too when IA was allowed for payment of arrears of rent this application is filed the pleadings relied by the Petitioner is no way helpful to the case of the petitioner. This petition is devoid of merits. Accordingly it is dismissed.

In the result, this petition is dismissed however without costs.

Dictated to the Stenographer, transcribed by him, corrected and pronounced by me in the open Court on this the 6th day of November, 2017.


**XX JUNIOR CIVIL JUDGE,
CITY CIVIL COURTS, HYDERABAD.**



CERTIFIED PHOTOCOPY

**APPENDIX OF EVIDENCE
WITNESSES EXAMINED**

FOR PETITIONER:

NONE

FOR RESPONDENTS:

NONE

DOCUMENTS MARKED FOR PETITIONER:

-NIL-

DOCUMENTS MARKED FOR RESPONDENTS:

-NIL-

Mur
**XX JUNIOR CIVIL JUDGE,
CITY CIVIL COURTS, HYDERABAD.**

CERTIFIED TO BE TRUE COPY
**SUPERINTENDENT
CENTRAL COPYING ESST.
CITY CIVIL COURT, HYDERABAD. T.S.**

COURT OF THE CHIEF JUDGE
CITY CIVIL COURT HYDERABAD
CENTRAL COPYIST ESTABLISHMENT
C.A. No. 24244/17
Application made on 12/12/17
Stamps Called on 19/1/18
Charges Stamps Deposited on 19/1/18
Charges 28/-
Charges a Sum of Rs. 1020
Deposited U/R 203 (A) (1) U/r No. 1020
Addl. Stamps Called on 19/1/18
Addl. Stamps Deposited on 19/1/18
Copy made ready on 19/1/18
Copy Delivered on 19/1/18

**SUPERINTENDENT
Central Copyist Establishment
City Civil Court Hyderabad**



CERTIFIED TRUE COPY

DECREETAL ORDER

**IN THE COURT OF XX JUNIOR CIVIL JUDGE, CITY CIVIL COURT,
HYDERABAD.**

MONDAY THE 6th DAY OF NOVEMBER, 2017.

**PRESENT: SRI B.SRINIVASULU,
XX JUNIOR CIVIL JUDGE,**

I.A.No.859 OF 2017

IN

O.S.No.3180 OF 2016

Between:

Ms. Sajda Sultana, D/o. Sri Abdul Razak, Aged about 29 years, Occ:
Business, M/s. Protos 3rd floor 309 & 310-B Methodist Complex,
Chirag Ali Lane, Abids, Hyderabad.

...Petitioner/Plaintiff

A n d

1. M/s. Modi Builders Methodist complex partnership firm, Office
at:5-4-187/3&4 M.G. Road Secunderabad.
2. Sri Soham Modi, S/o. Sri Satish Modi, Aged about 47 years, Occ:
Business, R/o.at:5-4-187/3&4 M.G. Road Secunderabad.
3. Suresh Bajaj, S/o. Late Sri Paramanand Bajaj, Aged about 60
years, Occ: Business, R/o.at:5-4-187/3&4 M.G. Road Secunderabad.

...Respondents/Defendants

Claim:- This petition is filed Under Order 6 Rule 17 R/w. Section 151
of CPC to permit the Petitioner/Plaintiff to amend the Plaint as under:

At Para No.6 (a). "Plaintiff submits that the real fact is that after
receiving the vacant possession the Plaintiff deposited rent and
amenities of Rs.24,000/- (Twenty Four thousand Rupees only) and
deposited Rs.75,000/- towards the security deposit through bank and
the Plaintiff started renovation of vacant premises and invested
Rs.12,00,000/- to Rs.15,00,000/- for purchase of interior material like



CERTIFIED PHOTOGRAPH

// 2 //

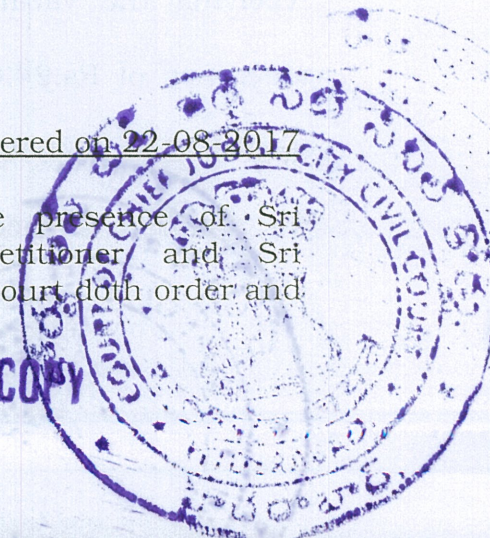
fall ceiling, painting colours, Lupum, cement bags and plaster of Paris bags and wooden furniture and after purchasing these materials the Plaintiff started renovation work in the Month of April, 2016 and the Defendants also started construction work on Terrace of the Building as Fourth floor while doing construction work they used heavy water for curing the cement pillars and slab, then the terrace slab started leaking due to old construction, i.e., the rent premises slab started leakage, due to that interiors of the rent premises got damaged (photos of interior damage are filed). And the same was intimated by Plaintiff's partner Mr. Rahul to Defendants through phone, the same was received by the Defendant and caused reply through e-mail admitting the same and agreed for repair of damages. It is submitted that the Defendants sent e-mail contains improper conditions, as a result the plaintiff and her partner rejected, and the Plaintiff intimated on phone to defendants that after compensating the damages they will pay the rents. As to that condition, the Defendants agreed and accepted for not paying the rents and assured that for settle the issue very soon, but the Defendants herein has failed to comply the same nor paid the damages occurred to the Plaintiffs as agreed by the Defendants. I further submit that for wrongful a gain, the Defendants herein has filed Eviction Suit vide O.S.No.1232/2016 on the file of the Hon'ble I Senior Civil Judge, City Civil Courts, Hyderabad with all false and baseless allegations and the same is pending for adjudication".

Stamp on petition Rs.2/- is affixed

Petition presented on 22-08-2017 Petition numbered on 22-08-2017

This Petition coming before me in the presence of Sri Laxmikanth T Vukkalakar, Advocate for Petitioner and Sri C. Balagopal, Advocate for Respondents and this Court doth order and decree as follows :

CERTIFIED PHOTOCOPY



1/3/11

1. That the petition of the Petitioner be and the same is hereby dismissed.
2. That there shall be no order as to costs.

Given under my hand and the seal of the Court this the 06th day of November, 2017.

[Signature]

**XX JUNIOR CIVIL JUDGE,
CITY CIVIL COURTS, HYDERABAD.**

MEMO OF COSTS

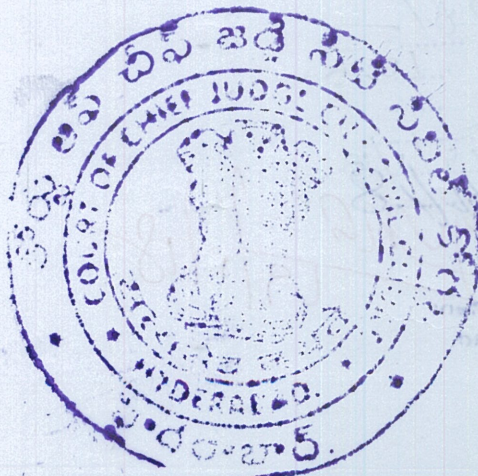
	Petitioner	Respondents
1. Stamp on petition	Rs.2-00	--
2. Stamp on power	--	--
	Rs.2-00	NIL

[Signature]

**XX JUNIOR CIVIL JUDGE,
CITY CIVIL COURTS, HYDERABAD.**

CERTIFIED TO BE TRUE COPY

**SUPERINTENDENT
CENTRAL COPYING ESST.
CITY CIVIL COURT, HYDERABAD, T.S.**



C. V. Chandramouli (Adv)

COURT OF THE CHIEF JUDGE
CITY CIVIL COURT HYDERABAD
CENTRAL COPYIST ESTABLISHMENT

C.A. No. 24744/17

Application made on 18/11/17

Stamps Called on 19/1/18

Charges Deposited on 19/1/18

Stamps Charges & Sum of Rs. 28/-

Deposited U/R 200 (A) (1) U/R No. 1070

Addl. Stamps Called on

Addl. Stamps Deposited on 19/1/18

Copy made ready on 19/1/18

Copy Delivered on 19/1/18

SUPERINTENDENT
Central Copyist Establishment
City Civil Court Hyderabad

M. Rangana 19/1/18

