

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

APPLICATION IN CIVIL SUIT NO: 1 OF 2023
IN
C.S.NO.13 OF 1958

Between :

1] Samana Fatima D/o Syed Zahid Ali &
Late Muneerunissa Begum
W/o Mir Ali Asghar Razvi
Aged about 30 years, Occ. Private Service
Present Address: Melbourne, Australia
Permanent Address: R/o H.No. 22-8-387,
Purani Haveli, Hyderabad

2] Zainab Fatima D/o Syed Zahid Ali &
Late Muneerunissa Begum
W/o Syed Mohamed Ali Moosavi
Aged about 26 years, Occ. Private Service
Present Address: Melbourne, Australia
R/o H.No. 22-8-387, Purani Haveli, Hyderabad

Petitioners are represented by their GPA Holders.

[1] Syed Zahid Ali S/o Late Mir Sadiq Ali & husband of Late Muneerunissa Begum,
Aged about 59 years, Occupation Civil Engineer, R/o H.No. 22-8-387, Purani Haveli,
Hyderabad. *compounded as defendant No 227 in CS 13/1958*

[2] Mr. Sanjeev Kumar Raut, S/o Rattan Narayan Raut, Aged 45 years, Occ. Private
Business R/o Kothi # 51, Safdar Jung Road, Near Gymkhana Club, New Delhi.

[3] Dr. Pramod Eknathrao Jadhav, Age: 59 year, Occ. Doctor, R/o Samartha Heritage,
Opp. M.S.M. Khadekeshwar, Aurangabad.

[4] Mr. Arunkumar Shyamarao Jadhav, Age 61 years, R/o Vasantnagar, Jawahar
Colony, Aurangabad.

..Applicants/Proposed party Defendants

AND

1. Syed Hassan, S/o. Nawab Syed Abdulla, aged about 42 yrs. (Since deceased per LRs Respondents No. 2 to 6 herein; brought on record(petitioners 1 to 5) in **CS 13/1958**, ~~on~~ ~~as per order dt: 16.04.1969~~ ~~on~~ ~~Application No.59 of 1969~~)

2. Lateefunnisa Begum. W/o. Late Nawab Syed Hasan Pasha, Aged about 45 yrs. R/o. Dewan Devidi.

3. Bismillah Khanam, W/o. Late Nawab Syed Hasan Pasha, Aged about 40 yrs, R/o Dewan Devidi, Hyderabad.

4. Durdana Fatima Alias Shahzad D/o. Late Nawab Syed Hasan Pasha, Aged about 11 yrs, R/o. Dewan Devidi, Hyderabad.

5. Syed Yousuf Pasha, S/o. Late Nawab Syed Hasan Pasha, Aged about 6 yrs, R/o Dewan Devidi Hyderabad.

6. Zainab Begum, D/o. Late Nawab Syed Hasan Pasha, Aged about 4 yrs, R/o Dewan Devidi, Hyderabad

(Since deceased per LRs brought on record petitioners 1 to 5 hereunder as per order dt: 16.04.1969 on Application No.59 of 1969). (in **CS 13/1958**)

(Petitioners 4 to 6 are minor under the guardianship of their real mother Bismillah Khanam (Petitioner No.3 herein)

...Respondents / Plaintiffs

7. Syed Kazim Hussain. S/o Nawab Syed Abdullah, aged about 58 yrs, Shia Muslim, R/o Irani Galli, Hyderabad

8. Syed Ahmed. S/o Syed Abdllah, aged about 45 years, R/o Diwan Devdi, Hyderabad.

9. Syed Hussain, S/o Syed Abdulla, aged about 38 years, R/o Irani Galli, Hyderabad.

10. Syed Abdul Wahab. S/o Syed Abdulla, aged about 12 years, R/o Irani Galli, Hyderabad. (under the guardianship of his mother Putli Begum D-4 & 6 Lately Minor, Since declared as major, vide order dt: 21-10-1960 in Appl. No. 211 of 1960) (in **CS 13/1958**)

11. Syed Abdul Hameed, S/o Syed Abdulla, aged about 11 yrs, R/o Irani Galli, Hyderabad

12. Amatul Karim D/o. Syed Abdulla, aged about 14 yrs, R/o. Irani Gaili, Hyderabad.

13. Amatul Rahim D/o Syed Abdulla, aged about yrs, R/o Irani Galli, Hyderabad.

14. Amina Begum, W/o. Syed Abdulla, aged about 75 yrs, Muslim, R/o. Irani Galli. Hyderabad (Since Died and the plaintiff and Defendants 1, 2, 3 & 7 were brought on record as LR's on 16-2-59 (in **CS 13/1958**)

15. Putli Begum. W/o. Nawab Syed Abdulla, aged about 28 yrs, R/o Irani Galli, Hyderabad.

16. Nawab Turab Yar Jung Bahadur, S/o. Nawab Barahamuddowla, Aged about 78 yrs, Muslim, R/o Diwan Deodi, Hyderabad

(Since deceased per LRs D. Nos.155 to 158 on 28-3-68 Application 42/1968) (Defendant No. 155 to 158 **in CS 13 of 1958**)

17. Nawab Sajid Yar Jung, S/o. Nawab Barhamuddowla, Aged about 60 yrs, Muslim. R/o Banjara Hills, Hyderabad. (since deceased per LRs D-117 to 124) (**in CS 13/1958**)

18. Sultan Jahan Begum, D/o. Nawab Gazi Jung, Aged about 65 yrs, Shia Muslim, R/o Hyderabad. (since deceased per LRs Def. No.21 was brought on record) (Defendant No. 21 **in CS 13 of 1958**)

19. Bilquis Jahan Begum, W/o. Nawab Rias, Aged about 60 yrs, Muslim, R/o Near Siddi Risala, Hyderabad.

20. Government of A.P., Rep. By the Chief Secretary, Government of Andhra Pradesh.

21. The Union of India Rep. By the Secretary, The State Ministry, Central Secretariat, New Delhi.

22. The Salarjung Estate Committee, a corporation having its Office and conducting its business at Diwan Dewdi, Hyderabad.

23. Jagir Administrator, Government of Hyderabad having its office Saifabad, Hyderabad.

24. Syed Mohammad Ali, S/o. Syed Qasim Ali, Aged about 60 yrs, Muslim, R/o Diwan Devdi, Hyderabad. (Since deceased per LRs Defendants 141 to 152 brought on record as per order dt: 24-11-67 in Application No.257/67) (Defendants 141 to 152 **in CS 13 of 1958**)

25. Kulsum Begum, W/o. Syed Mushtaq, Aged about 65 yrs, Muslim, R/o Diwan Devdi, Hyderabad.

26. Ulfat Begum, W/o. Syed Hyder Raza, R/o Diwan Devdi, (Defendants 129 is declared as the sole LR of D.20 as per order dt: 1.10.65 in Application No.144/1965) (**in CS 13/1958**)

27. Ghazi Jung Bahadur, S/o. Nawab Fakhrul Mulk, Aged about 73 yrs, Somajiguda, Hyderabad. (died on 17-9-1971)

28. Mir Asghar Hussain Khan, S/o. Nawab urab Yar Jung. Aged about 53 yrs, Jagirdar, R/o. Irani Galli.

29. Mir Mehdi Hussain Khan, S/o. Hussain, Aged about 55 yrs, Jagirdar, R/o Mir Alam, Hyderabad.

30. Mir Muzaffar Hussain Khan, S/o. Hassan, Aged about 48 yrs, Jagidar, R/o. Mandi Mir Alam, Hyderabad

31. Mir Gayoor Hussain Khan, S/o. Hassan Yar Jung, Aged about 36 yrs, R/o. Irani Galli, Hyderabad.
32. Mir Hasan Ali Khan, S/o. Hassan Yar Jung, Aged about 52 yrs, R/o Irani Galli, Hyderabad. (since deceased per LRS D27 to D28 recorded as LRs and D-1 brought on record as LR, as per order dt: 23-9-1966 in Application 200/1966) (Defendants No. 27 and 28 **in CS No. 13 of 1958**)
33. Mir Sultan Ali Khan, S/o. Hassan Yar Jung. Aged about 52 yrs, R/o. Irani Galli, Hyderabad. (since D-27 recorded as LR of D-26 along with D-28 and 137 as per order dt: 23-9-1966 in Application 200/66) (**in CS 13/1958**)
34. Mir Yawar Ali Khan, S/o. Hasan Yar Jung, Aged about 45 yrs, R/o. Irani Galli, Hyderabad.
35. Fateh Jawar Begum, D/o. Hasan Yar Jung, Aged about 43 yrs, R/o. Irani Galli, Hyderabad.
36. Akhtar unnisa Begum, D/o. Fakoob Begum, Aged about 45 yrs, R/o. Irani Galli, Hyderabad
37. Sughra Begum, D/o. Sher Ban Begum, Aged about 40 yrs, Jagirdar, R/o. Irani galli, Hyderabad.
38. Mubarak Razia Begum, D/o. Salima Begum. Aged about 28 yrs, Jagirdar, R/o. Hyderabad.
39. Mir Asad Ali Khan, S/o. Noorunnisa Begum, Aged about 50 yrs, R/o. Baradari, Hyderabad.
40. Mir Turab Ali Khan, S/o. Noorunnisa Begum, Aged about, Household, R/o Alawa Bibi, Hyderabad.
41. Sultana Bakht Begum, D/o. Noorunnisa Begum. Aged about yrs, Household, R/o Alawa Bibi, Hyderabad.
42. Syed Laiqat Hussain Khan, S/o. Dilawarunnisa Begum, Aged About 55 yrs, Mukthadar, R/ House No.13, A. Class CIB block, Narayanaguda, Hyderabad (since deceased per LRs defendant No.128)
43. Syed Taqui Hussain Khan, S/o. Dilawarunnisa Begum. Aged about R/o. Noorkhan, Bazar, Hyderabad.
44. Syed Mohiba Ali Khan, S/o. Dilawarunnisa Begum, Aged about R/o. Noorkhan, Bazar, Hyderabad.
45. Batul Un Nissa Begum, D/o. Dilawarunnisa Begum, Aged about R/o Noorkhan Bazar, Hyderabad. (since deceased per LR Defendants 22 to 39 were added as per orders dt: 22.3.1956) (**in CS 13/1958**)
46. Khursheed Bee, Occ: Maid Servant, Aged about 50 yrs, R/o. Diwan Devidi, Hyderabad.

47. Mubarak begum, W/o. Syed Abbas Ali Khan, Aged about 40 yrs, Household, R/o Guramwa Galli, Hyderabad.
48. Syed Kazim Hussain Khan, S/o. Shujaul Mulk, Gagirdar, R/o Mandi Mir Alam, Hyderabad.
49. Syed Md. Jaffar Razvi, S/o. Shujaul Mulk, Aged about 62 yrs, Jagirdar, R/o. Mandi Mir Alam, Hyderabad.
50. Vizarat Jung, S/o. Shujani Mulk, Aged about 53 yrs, Jagirdar, R/o. Mandi Mir Alam, Hyderabad.
51. Bizaath unnisa Begum, D/o. Shujani Mulk, Aged about 53 yrs, Jagirdar, R/o. M Mir Alam, Hyderabad. TE OF TELA
52. Safdar unnisa Begum, W/o. Shujani Mulk, Aged about 53 yrs, Jagirdar, R/o. Mandi Mir Alam, Hyderabad.
53. Mir Ajaz Hussain, S/o. Fakar Jung, Aged about 34 yrs, Jagirdar, R/o. Mandi Mir Alam, Hyderabad.
54. Mir Mumtaz Hussain Khan, S/o. Fakar Jung, Aged about 32 yrs, R/o. Mandi Mir Alam, Hyderabad.
55. Jahandarunnisa Begum, D/o. Fakar Jung, Aged about 37 yrs, R/o. Deodi Kamal Yar Jung, Hyderabad.
56. Hasmat Begum, W/o. Baqer Ali Khan, Aged about 55 yrs, r/o Balsetti Khet, Hyderabad.
57. Najibunnisa Begum, W/o. Fitrat Jung, Aged about 30 yrs, Household, R/o Mandi Mir Alam, Hyderabad. (recorded as LRS of Defendants 72 as per order dt: 24-6-1967 in Application 8/67 along with defendant 136 to 140) (Defendant No.136 to 140 in CS 13 of 1958)
58. Vazir unnisa Begum. D/o. Fitrat Jung, Aged about 30 yrs, Household, R/o. Mandi Mir Alam, Hyderabad. (recorded as LRS of Defendants 72 as per order dt: 24-6-1967 in Application 8/67 along with defendant 138 to 140) (in CS 13/1958)
59. Mir Yakoob Ali Khan, S/o. Mir Shujath Ali Khan, Aged about 57 yrs, Pensioner, R/o. Noorkhan Bazar, Hyderabad.
60. Mir Basharat Ali Khan, S/o. Mir Shujath Ali Khan, Aged about 59 yrs, Pensioner, R/o Noorkhan Bazar, Hyderabad. (Since dead defendants 111 to 114 brought on record as LR's on 6-2-59 vide application No.518/59.) (Defendant Nos. 111 to 114 in CS No. 13 of 1958)
61. Mir Kazim Ali, S/o. Ahmad Ali, Aged about 38 yrs, Gujam Yab, R/o. Diwan Deodi, Hyderabad.
62. Mir Dilawar Ali, S/o. Ahmed Ali, Aged about 42 yrs, R/o Diwan Deodi, Hyderabad.
63. Mir Hyder Ali, S/o. Ahmed Ali, S/o. Aged about 35 yrs, R/o. Diwan Deodi, Hyderabad.

64. Mir Ahmed Ali Khan, S/o. Mir Kazim Ali Aged about 19 yrs, R/o. Diwan Deodi, Hyderabad.
65. Hashmatunnisa Begum, D/o. Mir Kazim Ali, Aged about 18 yrs, R/o. Diwan Deodi, Hyderabad.
66. Syed Sayeed Hussain Khan, S/o Mir Ghulam Hussain, Aged about 44 yrs, R/o. Asif Nagar, Hyderabad.
67. Qamarunnisa Begum, Ahsan, aged about 48 yrs, Household, R/o. Dabirepura, Hyderabad.
68. Khatija Begum, W/o. Ghulam Askari, Aged about 70 yrs, Hissadar of Paigah, R/o Asif Nagar, Hyderabad.
69. Sayeed unnisa Begum, W/o. Mir Abbas Ali, Aged about 48 yrs, Hissadar, R/o Irani Galli, Hyderabad.
70. Mir Tahir Ali, S/o. Mir Akbar Ali, Aged about 23yrs, Guzaradar, R/o. Mozam Zahi Market Hyderabad.
71. Mir Imam Ali, S/o. Mir Akbar Ali, Aged about 16 yrs, Minor under the of his guardianship mother Salma Bibi. R/o Mazam Zahi Market, Hyderabad. (since Declared Major vide Application 139/1958 dt: 17-12-1958)
72. Mir Riyasat Ali, S/o. Mir Akbar Ali, Aged about 9 yrs, minor under the guardianship of his mother Salma Bibi, R/o Mazam Zahi Market, Hyderabad.
73. Mir Sadiq Ali, S/o. Mir Akbar ali, Aged about 12 yrs. (Minor) under the guardianship of their mother Salma Bibi Defendants No.71.
74. Mir Turab Ali, S/o. Mir Akbar ali, Aged about 8 yrs, (Minor) under the guardianship of the mother Salma Bibi Defendants No.71. **(in CS 13/1958)**
75. Qamarunnisa Begum, D/o Mir Akbar ali, Aged about 8 yrs, (Minor) under the guardianship of their mother Salma Bibi Defendants No.71. **(in CS 13/1958)**
76. Shams unnisa Begum, D/o Mir Akbar Ali, Aged about 12 yrs, (Minor) under the guardianship of their mother Salma Bibi (All Sons and Daughters of Mir Akbar Ali, aged 12, 8 & aged 6 years respectively Mining Garduianship of their mother Salma Bibi, D-No.71)
77. Salma Bibi. W/o. Mir Akbar Ali, aged about 48 yrs.
78. Nawab Fitrar Jung Bahadur, S/o Arsalam Jung Aged about 80 yrs, Jagidar, R/o. Reandi Miralam, Hyderabad. (Deft. 72 since deceased per LRs defendant 51, 52 and 138 to 140 brought o record.) (Defendant Nos. 51, 52 and 138 to 140 **in CS No. 13 of 1958**)
79. Qadri Begum, W/o. Hyder Yar Jung, Aged about 70 yrs, Household,

R/o Irani Gally, Hyderabad. (Defendant 42 to 73 have been added as party defendants as per orders of court dt: 03-10-1956) (Defendant Nos. 42 to 73 in CS No. 13 of 1958)

80. Syed Rafat Ali, S/o. Syed Turab, Muslims, Aged about 80 yrs, respectively No.74 and 75, R/o. Baradari Salarjung, Nizam Bagh, Hyderabad, No.76 and 77 residing at Troop Bazar, Hyderabad

81. Syed Yawar Hussain, S/o. Syed Turab, Muslims, Aged about 60 yrs, respectively No. 74 and 75, R/o. Baradari Salarjung, Nizam Bagh, Hyderabad.

82. Syed Jaffar Hussain S/o. Syed Turab, Muslims, Aged about 48 yrs, respectively, No.76 and 77, Residing at Troop Bazar, Hyderabad.

83. Syed Mohsin, S/o. Syed Turab, Muslims, Aged about 58 yrs, respectively No.76 and 77, Residing at Troop Bazar, Hyderabad.

84. Sakina Begum, D/o. Syed Turab, Muslims, Aged about 44 yrs, respectively No.78 & 79, Residing at Banjara Hills, Hyderabad.

85. Razia Begum, D/o Syed Turab, Muslims, Aged about 44yrs, respectively No.78 & 79, Residing at Banjara Hills, Hyderabad. (All Sons and Daughters of Syed Turab, aged 80, 60, 48, 58, 44 & 44 years respectively 74 & 75 Residing Baradari Salar Jung, Nizam Bagh, Hyderabad, Nos.76 & 77 Troop Bazar, Hyderabad, Nos.78 & 79 Residing at Banjara Hills, Hyderabad.)

86. Syed Hadi Ali, S/o. Syed Vizarat Ali, Aged about 27, R/o. Bawachi Khana, Mawan, Salarjung, Hyderabad.

87. Masooma Begum, D/o. Syed Vizarat Ali, Aged about 25, R/o. Bawachi Khana, Mawan Salarjung, Hyderabad.

88. Fatima Begum, D/o. Syed Vizarat Ali, Aged about 23, R/o Bawachi Khana, Mawan, Salarjung, Hyderabad.

89. Sayyad Begum, D/o. Syed Vizarat Ali, Aged about 23, R/o Bawachi Khana, Mawan, Salarjung, Hyderabad. (Syed Vizarith Ali aged 27, 25, 23 & 23 years respectively all Residing at Batuachi Khar, Nawab Salar Jung, Hyderabad.)

90. Syed Ahmad Hussain, S/o. Syed Abbas Hussain, Aged about 24 yrs, R/o. Mogalpura, Hyderabad.

91. Syed Mustafa Hussain, S/o. Syed Vizarat Ali, Aged about 22 yrs, R/o. Mogalpura, Hyderabad.

92. Syed Mazhar Hussain, S/o. Syed Vizarat Ali, Aged about 20 yrs, R/o. Mogalpura, Hyderabad.

93. Syed Asghar Hussain, S/o. Syed Vizarat Ali, Aged about 19 yrs, R/o. Mogalpura, Hyderabad.

94. Sajjadi Begum, D/o. Syed Vizarat Ali, Aged about 23 yrs, R/o. Mogalpora, Hyderabad.
95. Syed Kamal Hussain, S/o. Syed Vizarat Ali, Aged about 19 yrs, R/o. Mogalpora, Hyderabad.
96. Muzafarunnisa Begum, D/o. Syed Vizarat Ali, Aged about 18 yrs, R/o. Mogalpora, Hyderabad. (Syed Vizarath Ali aged 22, 20, 19, 23, 19 & 18 years respectively all Residing at Moghalpora, Hyderabad.)
97. Sarwar Hussain. S/o. Syed Mehdi Hussain, Aged about 25 yrs, R/o. Baradari. Nawab Salarjung, Hyderabad.
98. Zohra Begum, D/o. Syed Naser Hussain, Aged about 16 yrs, Minor under the guardians of Syed Jafar Hussain, R/o. Nizam Bagh, Hyderabad,
99. Akhtar Begum, D/o. Syed Naser Hussain, Aged about 14 yrs, (Minor) under the guardianship of Syed Jaffar Hussain Nizam Bagh, Hyderabad.
100. Sardar Begum, D/o. Syed Naser Hussain, Aged about 12 yrs. (Minor) under the guardianship of Syed Jaffar Hussain Nizam Bagh, Hyderabad.
101. Syed Qurban Hussain, S/o. Syed Naser Hussain, Aged about 11 yrs, (Mindder, the guardianship of Syed Jaffar Hussain Nizam Bagh, Hyderabad.
102. Syed Zamin Hussain, S/o. Syed Naser Hussain, Aged about 12 yrs, (Minor) under the guardianship of Syed Jaffar Hussain Nizam Bagh, Hyderabad.
103. Badrunnisa Begum, D/o. Syed Abul Fazal, Aged about 50 yrs, R/o. Darushafa, Fateh Durwaja, Adikmet. Hyderabad.
104. Raisunnisa Begum, D/o. Syed Abul Fazal, Aged about 45 yrs, R/o. Darushafa, Fateh Durwaja, Adikmet, Hyderabad.
105. Ashrafunnisa Begum, D/o. Syed Abul Fazal, Aged about 40 yrs, R/o. Darushafa, Fateh Durwaja, Adikmet, Hyderabad.
(Syed Naser Hussain, aged 14, 12, 11, & 12 years respectively all Minors under the Guardiansh Syed Jaffar Hussain, Nizam Bagh, Hyderabad. Syed Abdul Razal, aged 50, 45 & 40 years respectively Residing at Darusl Shifa, Pathe Darwaza, Adikmat respectively Hyderabad)
106. Noorunnisa Begum, D/o. Syed Abu Talib, aged about 70 yrs,
(Defendants 104 to 106 were brought on record as LR's on 30-08-1958 in IA.No.253/1958) (in 13/1958)
107. Syed Asadulla, S/o. Syed Abu Talib, Aged about 80 yrs, R/o Baradari, Hyderabad.
108. Shezadi Begum. S/o Syed Abu Talib, Aged about 80 yrs, R/o Baradari, Hyderabad.

109. Fakrunnisa Begum, D/o. Syed Abu Haafiz, Aged about 45 yrs, R/o. Baradari, Hyderabad. (Defendants 74 to 103 were added as per H.C. Order dt: 11-11-1957 in CRP.No.1313/1956. **(in CS 13/1958)**)
110. Gafoorunnisa Begum, D/o Shaik Mehdi Ali, Aged about 23.
111. Shaik Yousuf Ali, S/o Shaik Mehdi Ali, Aged about 14.
112. Shaik Raza Ali, S/o Shaik Mehdi Ali,
113. Syed Dilawar Ali, S/o. Syed Rahat Ali, aged about 48, R/o Baradari, Hyderabad.
114. Syed Sajjad Ali, S/o. Syed Rahat Ali, aged about 46, R/o Baradari, Hyderabad.
115. Syed Shujath Ali, S/o Syed Rahat All, aged about 44, R/o Baradari, Hyderabad.
116. Nawab Begum, D/o. Syed Rahat Ali, aged about 38, R/o Baradari, Hyderabad. (Shaik Mehdi Ali, aged 23, 14, & Syed Rahat Ali aged 48, 46, 44 & 38 years respectively all Residing at Baradari, Hyderabad)
117. Mir Jaffar Ali Khan, S/o Mir Bashrat Ali Khan, R/o Meandi Mir, Hyderabad.
118. Mir Mahmood Ali, S/o. Mir Bashrat Ali Khan (Defendant No.112 since declared as Major as per order dt: 10-9-1965 in Appl.No.114/1965) (When Minor Appl. No. 85/1960) R/o. Mandi Mir Alam, Hyderabad. **(in CS 13/1958)**
119. Hussain Begum D/o. Mir Bashrat Ali Khan. (Since decease per LRs Defendants 153 & 154 brought on record as per order 27-8-1965 in Appl.No.403/1964) R/o. Mandi Mir Alam, Hyderabad. (Defendant Nos. 153 & 154 in CS No. 13 of 1958)
120. Imtiyazunnisa Begum, D/o. Mir Yakub Ali Khan, Aged about 19 yrs, R/o Noorkhan Bazar, Hyderabad
121. Mahmooda Begum, D/o. Syed Yawar Hussain, aged about 30, Occ: Household, R/o. Somajiguda, Hyderabad.
122. Siddiqui Begum, D/o. Syed Yawar Hussain, aged about 27, Occ: Household, R/o. Somajiguda, Hyderabad. (Brought on record as LRs of D-75 on 19-08-1960 on Appl.No.88/1960) (Defendant No. 75 in CS No. 13 of 1958)
123. Askar Nawaz Jung, S/o. Late Nawab Sajid Yar Jung, Aged about 45 yrs. Devdi Mukaramuddowal, Hyderabad, A.P.
124. Kazim Nawaz Jung, S/o. Late Nawab Sajid Yar Jung, aged about 44 yrs, R/o. Prade Villa, Fateh Maidan, Hyderabad.

125. Fatima Sultana Begum, D/o. Late Nawab Sajid Yar Jung, Aged about 40 yrs, R/o. Devdi Mukara Muddowalm, Hyderabad.
126. Razia Sultana Begum, D/o. Late Nawab Sajib Yar Jung, Aged about 37 yrs, R/o. Devdi Mukaramuddowla, Hyderabad.
127. Kairunnisa Begum, Alias Zakia Sultana Begum, D/o. Late Nawab Sajid Yar Jung, Aged about 36 yrs, R/o. Khaair Mansion, Hyderabad.
128. Zohra Sultana Begum Alias Jakia Sultana Begum, D/o. Late Nawab Yar Jung, Aged about 35 yrs, R/o. Devdi Mukaramuddowla, Hyderabad
129. Ashrufunnisa Begum Alias Late Nawab Sajib Yar Jung, R/o. Devdi Mukaramuddowla, Hyderabad.
130. Sultana Alam Saheba, W/o. Late Nawab Sajib Yar Jung, Aged about 62 yrs, R/o. Devdi Mukaramuddowla, Hyderabad.
(Defendants 117 to 124 brought on record as LRs of defendants 11 as per orders of the court dt: 23.09-1960 Appl.No.173/1960) (Died D-117 to 123 recorded as LRS of D-124 vide order dt: 18 1961 on Appl. No.130/1961) (Defendant Nos. 117 to 123 in CS No. 13 of 1958)
131. Syed Abbas Ali. S/o. Mir Mohd Ali. Aged 48 yrs, R/o Anderoon Nirza, Mahal Khas Puri Devdi Nawab Salarjung, Hyderabad. (brought on records as LRS Deft. 20 as per orders of the court dt: 12-8-1960, on struck off from the record as per order dt: 1-10-1965 in Appl.No.144/1965) (**in CS 13/1958**)
132. Najeeba Begum, D/o. Batulunisa Begum, Aged about 26 yrs, Occ: Household, R/o. Noorkhan Bazar, Hyderabad.
133. Hydari Begum, D/o. Batulunnisa Begum, Aged about 24 yrs, Occ: Household, R/o. Noorkhan Bazar, Hyderabad.
(Defendants 126 & 127 are brought on record as LRs of defendants No.39 vide order of court dt: 16-4-1962 in application No.138/1962) (Defendant No. 39 in CS No. 13 of 1958)
134. Zahra Begum, W/o Syed Hiaquat Hussain Khan, Aged about 45 yrs, R/o No.13, CIB Quarters, Narayanaguda, Hyderabad. (Defendants No.128 brought on record as LRs of defendants No.36 vide orders of Court dt: 29-6-1962 on application No. 115, 137 and 235 of 1962) (**in CS 13/1958**)
135. Syed Kamar Hassan, S/o. Syed Hashim Hussain, Aged about 7 yrs, Minor by guardian natural mother Butul Begum, W/o Syed Hashim Hussain, aged about 28 yrs, H.No.22-7-268, (Deceased Defendant No.20. vide order of court dt: 20-7-1962 in application No.246/1962) (Defendant No. 20 in CS No. 13 of 1958)
136. Yousuf Begum, W/o. Late Syed Mohd Jaffar Razvi, Aged about 51 yrs, R/o. Lingampalli, Hyderabad.

137. Syed Asad Ali Khan Razvi, S/o. Late Dr. Syed Mohd Jaffar Razvi, Aged about 24 yrs, R/o Lingampalli, Hyderabad.
138. Syed Bizaat Hussain Khan Razvi, S/o. Late Dr. Syed Mohd Jaffar Razvi, Aged about 22 yrs, R/o Lingampalli, Hyderabad.
139. Syed Gulam Hussain Khan Razvi, S/o. Late Dr. Syed Mohd Jaffar Razvi, Aged about 19 yrs, R/o. Lingampalli, Hyderabad.
140. Syed Abbas Ali Khan Razvi, S/o. Late Dr. Syed Mohd Jaffar Razvi, Aged about 16 yrs, R/o. Lingampalli, Hyderabad. (Defendants No.134 minor by guardian Begum Defendants No.130 vide order dt: 29-6-1962 on application No.241/1962 since declared as major as per court order dt: 30-9-1966 in Appl.No.208/1966. Defendant 130 to 134 brought on record as LR's of defendants No. 43 vide order dt: 27-7-1962 in Application No.240/1962) (Defendant Nos. 130 to 134 in CS No. 13 of 1958)
141. Syed Hamid Hussain
142. Syed Hashim Hussain (Defendants 135 & 136 are brought on record as LR's of defendants 119 as per order dt: 25-6-1965 in Application No.23/1965) (in CS 13/1958)
143. Khudaja Begum, W/o. Late Mir Hasan Ali Khan, Aged about 60 yrs, R/o. Yakutpura, Hyderabad. (Brought on record as LR's of defendant No.26 along with defendants 27 & 28 who are already on record as per order dt: 23-9-1966 in Application No.200/1966) (in CS 13/1958)
144. Amina Begum, D/o. Fitrat Jung. Aged about 40 yrs, R/o. King Koti, Hyderabad.
145. Sultani Begum, D/o. Nawab Fitrat Jung, W/o. Mohsin Ali, aged about 35 yrs, R/o. Motai Khana, King Kothi, Hyderabad.
146. Kasim Begum, D/o. Fitrat Jung, Aged about 42 yrs, R/o Mir Aalam Mandi, Hyderabad. (Defendants 138 to 140 are brought on record as LR's of Defendants No.72 and defendants 51 & 52 are recorded as LR's as per orders dt: 24-6-1967 in Application No.8/1967) (Defendant Nos. 51 & 52 in CS No. 13 of 1958)
147. Mir Abbas Ali, S/o. Syed Mohdammed Ali, Aged about 47 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.
148. Butul Begum, D/o. Syed Mohdammed Ali, Aged about 45 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.
149. Mir Talib Ali, S/o. Syed Mohdammed Ali, Aged about 44 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.
150. Mir Mumtaz Ali, S/o. Syed Mohdammed Ali, Aged about 42 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.
151. Aahmadi Begum, D/o. Syed Mohdammed Ali, Aged about 40 yrs, R/mes

Bagh, Diwan Devidi, Hyderabad.

152. Mir Raza Ali, S/o. Syed Mohdammmed Ali, Aged about 39 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.

153. Zahida Begum, S/o. Syed Mohdammmed Ali, Aged about 36 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.

154. Mir Nasir Ali, S/o. Syed Mohdammmed Ali, Aged about 35 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.

155. Hussain Begum, D/o. Syed Mohdammmed Ali, Aged about 30 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.

156. Kazim Begum, D/o. Syed Mohdammmed Ali, Aged about 26 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.

157. Fatima Begum, D/o. Syed Mohdammmed Ali, Aged about 24 yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad.

158. Khurshid Begum, W/o. Syed Mohdammmed Ali, Aged about yrs, R/o. Nizam Bagh, Diwan Devidi, Hyderabad. (Defendants No.141 to 152 are brought on record as LRs of defendants No.18 as per order of court dt: 24-11-1967 in Application No.257/1967) (Defendant Nos. 141 to 152 in **CS No. 13 of 1958**)

159. Mir Jawfeeq Ali, S/o. Taqi Ali, Aged about 65 yrs, R/o. Hyderabad.

160. Munawar Ali, S/o. Mir Jawfeeq Ali, Minor, R/o. Hyderabad. (Being minor per guardian defendant No.153 appointed as per order dt: 27-8-1965 in Application No.404/1964) (Defendants 153 & 154 brought on record as LRs of defendants 113 vide application No.403/1964 order dt: 27-8-1965) (Defendant Nos. 153 & 154 in **CS No. 13 of 1958**)

161. Abbas Yar Jung, S/o. Turab Yar Jung, Aged about 57 yrs, R/o. Nizam Bagh, Hyderabad.

162. Noor Yar Jung, S/o. Turab Yar Jung. Aged about 62 yrs, R/o. Near Fateh Maidan, Hyderabad.

163. Khursheed Jahan Begum, D/o. Turab Yar Jung, Aged about 60 yrs, R/o. Shadi Khanan in Nizam Bagh, Hyderabad.

164. Showkat Jahan Begum, S/o. Turab Yar Jung, Aged about 55 yrs, R/o. Devidi Mukara muddowla, Pattarghatti, Hyderabad. (Defendants 155 to 158 are brought in record as LRs of defendant No.10 as per order dt: 28-3-1968 in Application No.42/1968) (Defendant Nos. 155 to 158 in **CS No. 13 of 1958**)

165. D. Dilip Raj Krishna, S/o. D. Murali Krishna

166. V. Ashok, S.o. V. Ananda Rao,

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167. Sripathi Madan, S/o. S.A. Tulasirao,
168. Md. Zakir Osman, S/o. Md. Osman,
169. Laeeq Ahmed, S/o. Sheik Ahmed,
170. Md. Aleemuddin (quader) S/o. Md. Raheemuddin,
171. Haji Sharif, S/o. Late Mahaboob
172. Shaqik Azeem, S/o. Sheik Mahaboob,
- in 173. Shaik Shoukath ali, S/o. Shaik Ahmed,
174. Md. Mazhar, S/o. Md. Jaffar
 1 (Impleaded as Defendants Nos.159 to 168 were brought on record as per order dt: 12-6-2002 in Application No.635 to 637/2002) (Defendant Nos. 159 to 168 in CS No. 13 of 1958)
- n 175. Baqtawar Begum, W/o. Late Nawab Syed Ahmed,
- n 176. Syed Akbar Ali @ Zahoor Nawab, S/o. Late Nawab Syed Ahmed,
- 8 177. Syed Hamza, S/o. Late Nawab Syed Ahmed,
178. Syed Ali Abul Hassan @Amir Nawab, S/o. Late Nawab Syed Ahmed,
179. Syed Mohammed, S/o. Late Nawab Syed Ahmed,
- ts 180. Mumtaz Begum, W/o. Late Nawab Syed Akthar Ali Hafeez Nawab,
- 27 181. Ahahnaz Begum, D/o. Late Nawab Syed Akthar Ali,
182. Sakina Begum, D/o. Late Nawab Syed Akthar Ali,
183. Saheda Begum, D/o. Late Nawab Syed Akthar Ali,
184. Fathima Kubra, D/o. Late Nawab Syed Akthar Ali,
- n 185. Syed Ali Aga, S/o. Late Nawab Syed Akthar All,
186. Syed Hassan Agha, S/o. Late Nawab Syed Akthar Ali,
 (Impleaded Defts-169 to 180 were brought on record vide court order dt: 1-9-2004 m Appl.No.854/2004 in CS.13/58) (LRs of D2). (Defendant Nos. 169 to 180 in CS No. 13 of 1958)
- 150 187. Goutham Chand Jain, S/o. Parasmal Jain, aged 45 years, Occ: Business, R/o.H.No.10-02-172, West Marredpally, Sec'bad.
188. Jinender Jain, S/o. Parasmal Jain, aged 43 years, Occ: Business, R/o.10-02-172, West Marredpally, Sec'bad.

189. Amit Jain, S/o. P. Gutamchand Jain, aged 20 years, Occ: Business, R/0.10-02-172, We Marredpally, Sec'bad.
190. Arvind Kumar Jain, S/o. Ratan Lal Jain, aged 44 years, Occ: Business, R/o.H.No.26, Happy Enclave, Balaramraj, Sec'bad.
191. Devraj Ranka, S/o. Late Kaluram Ranka, aged 68 years, Occ: Business, Chandralok Complex, Sec'bad.
192. Prakash Chand Luniya, S/o. Mangilal Luniya, aged 56 years, Occ: Business, R/o.H.No 513, Ramgopalpet, Sec'bad.
193. Shanti Devi Luniya, W/o. Prakash Chand Luniya, aged 52 years, Occ: Housewife, R/o.H.No.2-4-513, Ramgopalpet, Sec'bad.
194. Mangilal Luniya, S/o. Ratanlal Luniya, aged 77 years, Occ: Business, R/o.H.No.2-4-51 Ramgopalpet, Sec'bad.
195. K. Ramesh, S/o. K. Bhaskar Rao, aged 47 years, Occ: Business, R/0.448, Venkatrao Cc PG. Road, Sec'bad.
196. K. Rajender Kumar, S/o. K. Bhaskar Rao, aged 38 years, Occ: Business, 448, Venkatra Colony, PG. Road, Sec'bad.
197. P. Veersham, S/o. Late Narayana, aged 44 years, Occ: Business, R/o H.No.12-10-590/79/1, Warisguda, Sec'bad.
(Def.Nos.181 to 191 impleaded as per court order dt 5-11-2004 in Appl.No.1166/2004) (Defen Nos. 181 to 191 in CS No. 13 of 1958)
198. M/s Bin Mahfooz Constructions, Through Managing Partner Abdul Aziz Khaild Bin Mahfooz, S/o. Khalid Abdullah Bin Mahfooz, aged 36 years, Occ: Business, R/o.H.No.5-5-509 Moazam Jahi Market, Hyderabad.
199. Khalid Abdullah Bin Mahfooz,
200. Abdullah Khalid Bin Mahfooz
201. Mahammed Khalid Bin Mahfooz
202. Abood Khalid Bin Mahfooz,
203. Saad Khalid Bin Mahfooz,
204. Salah Khalid Bin Mahfooz,
205. Yaser Khalid Bin Mahfooz.
(D.Nos.193 to 199 is all R/o. H.No.17-5-272 Dabeerpura, Hyderabad.)
(Def Nos-192 to 199 impleaded as per court order dated: 5-11-2004 in

Appl.No.1168/2004). (Defendant Nos. 192 to 199 in CS No. 13 of 1958)

206. V. Ashok, S/o. V. Ananda Rao, aged 36 years,
Occ: Business, R/o. H.No.13-1-1232/A/5, Ambedkarnagar,
Hyderabad - 500061

207. Md. Zakir Osman, S/o. Mohd. Osman, aged 38 years, Occ: Business, R/o.H.No.13-3-43/1/2,
Mustaidpura Hyderabad - 500067.

208. Syed Mustafa Ali Zaidi, S/o. Syed Mahmood Ali Zaidi, aged 35 years, years, Occ: Business,
R/o. H.No. 22-3-334, Mani Mir Alam, Hyderabad.

209. Laeeq Ahmed S/o. Shaik Ahmed, aged 37 years, Occ. Business, R/o. H.No.13-5-33, Tappa
Chabutra Hyderabad-500067.

210. Dilipraj Krishna S/o. Late D. Muralikrishna aged 35 years, Occ: Business, R/o. H.No.8-2-
120/86/4, Road No.3, Banjara Hills, Hyderabad.

211. P. Srinivasa Rao, S/o. P. Babu Rao, aged 38 years, Occ: Business,
R/o. Plot No.4 Tahir Villa, Yousufguda, Hyderabad.

212. P.V. Suryanarayana, S/o. P.V. Krishna Prasad, aged 35 years, Occ: Business, R/o. Plot
No.4, Tahir Villa, Yousufguda, Hyderabad.

213. Md. Mazhar, S/o. Mohd. Jaffar, aged 30 years, Occ: Business, R/o.H.No.13-4-161,
Sabzimandi, Hyderabad.

214. K. Ravi Shankar, S/o. K.P. Raju, aged 30 years, Occ: Business, R/o. 12-1-3/6A, Near Black
Bridge, Opp: Tq., Office, Padmanipeta, Amlapuram, EG., District.

215. K. Rama Mohan, S/o. K. Raja Kishan, aged 39 years, Occ: Business, R/o12-2-417/46/1,
Sharadhanagar Colony, Kulsumpura Post, Hyderabad.

216. D. Prabliakar Reddy, S/o. D. Janardhan Reddy, aged 28 years, Occ. Business R/o. Plot
No.402, Vinkatapathi Mansion, Bhagayanagar Colony Opp: KPHB Colony, Kukatpally,
Hyderabad.

217. B. Radha, D/o. K.V.S.S. Murthy, aged 35 years. Occ. Household, R/o. flat No.12, Block
No.11, Kendriavihar Apartments, Miyapur, Hyderabad.

218. Madhulika, D/o. Late D. Ramachandra Reddy, aged 39 years, Occ: Household, R/o.
Himyathnagar, Hyderabad.

219. Kum. K. Aishwarya, D/o. Capt., K. Kishan, aged 19 years, Occ: Student, R/o. Plot No.690,
Naveen Nagar Colony, Banjara Hills, Hyderabad.

220. Syed Azghar, S/o. Late Syed Moulana, aged 35 years, Occ: Business, R/o. H.No.19-3-
1089/A/76/77, Jahanuma, Hyderabad.

221. Mohd. Moinuddin, S/o. Lal Mohammed, aged 45 years, Occ: Business, R/o.19-3-262/2/3. Jahanuma, Hyderabad.

222. Syed Aneesuddin, S/o. Late Syed Sayceduddin, aged 40 years, Occ. Business, R/o. Karkhana, Sec'bad.

(Def Nos.200 to 216 impleaded as per court order dt: 5-11-2004 in Appl.No.1170/2004 and 1172/2004) (Defendant Nos. 200 to 216 in CS No. 13 of 1958)

223. Mohd. Muneeruddin, S/o. Late Mohd. Mahmood aged 50 years, Occ: Business, R/o. 9-6-8081, Santoshnagar, Hyderabad 500051.

224. Mohd. Abdul Haleem Ansari, S/o. Mohd. Abdul Qahar Ansari, aged 48 years, Occ: Business, R/o. 18-1-390, Defence Road, Hyderabad-500005.

225. Mohd Hameedullah Khan, S/o. Late Mohd. Munawar Khan, aged 58 years, Occ: Business, R/o. 20-7-597 inside Fathedarwaza, Hyderabad 500265.

226. Zafar Alam, S/o. Mohd. Hashmi, aged 47 years, Occ: Business, R/o.20-4-551/A/1, Khilwath, Hyderabad-500002. (Def. Nos.217 to 220 impleaded as per court order dt: 5-11-2004 in Appl.No.1172/2004) (Defendant Nos. 217 to 220 in CS No. 13 of 1958)

227. Nawab Mehbood Ali Khan S/o. Late Khurshid Jehan Begum, aged about 60 years, R/0.5-9-101, Public Garden Road, Nampally, Hyderabad.

228. Baderunnisa Begum, W/o. Late Fidri Hussain, D/o. Late Khurshid Jehan Begum, aged about 59 years. R/0.5-9-101, Public Garden Road, Nampally, Hyderabad.

229. Azamatunnisa Begum, W/o. Md. Tazikhoya Khan, aged about 57 years, Late Khurshid Jehan Begum, R/o 5-9-101, Public Garden Road, Nampally, Hyderabad
(Def. Nos.221 to 223 impleaded as per court order dt: 30-01-2009 in Appl.No.1109/2008)
(Defendant Nos. 221 to 223 in CS No. 13 of 1958)

230. Yousuf Miyan, S/o. Late Ahmed Miyan, aged about 46 Yrs, Occ. Business, R/o H. No. 9-4-77/2, Yousuf Tekdi, Tolichowki, Hyderabad,

231. Syed Akthar, S/o Imam Sahèb, aged about 64 Years, Occ; Business,
R/o. H. No. 9-4-77/2. Yousuf Tekdi, Tolichowki, Hyderabad.,
(Def. Nos.224 & 225 impleaded as per court order dt: 04-03-2014 in Appl.No.179/2014) (D-7)
(Defendant Nos. 224 to 225 in CS No. 13 of 1958)

232. M/s. Thakursidas Mukhram, represented by Shri. Ashok Agarwal,
S/o. Late Mukhram Agarwal, aged 53 years, Occupation: Business, R/o. H.No.1-8-337/1, Fore Fronte Royale, Block-A, 501, Indian Airlines Colony, Begumpet, Secunderabad.

(Def. No.226 impleaded as per court order dt/ 28-04-2014 in 'Appl. No.460/2014) (Decree)
(Defendant No. 226 in CS No. 13 of 1958)

Respondents/Defendants

232. Syed Murtuza Ali, S/o Zahid Ali, Aged 34 years, Occ: Software Engineer, Working at Bangalore, Permanent resident No. 22-8-387, Purani Haveli, Hyderabad, both are represented by one of their GPA Holder Dr. Pramod Eknathrao Jadhav, S/o Eknathrao Jadhav, Aged about 52 years, occ: Medical Practitioner, R/o Samarth Heritage, RHI, Khad Keshwar, Opp: Maratwada Sanskruti Mandal, Aurangabad, Maharashtra State.

(Defendant 228 impleaded as per Court Order dated 20.06.2014. Application No. 562/2014 in CS 13/1958)

Respondents/Defendants

- Sri Mohd. Bandi Ali, Retired District Judge,

Receiver-cum-Commissioner, H.No.8-1-366/A/122/1, Janki Nagar, Tolichowki, Hyderabad - 500 008.

- Sri K. Ajith Simha Rao, Retired District Judge,

Receiver-cum-Commissioner,
Plot No.30, Gunja Sreenivas Colony,
Opp. Vaishavi Enclave Pet Basheerabad,
Hyderabad-500 014.

(The above mentioned Retired District Judges were appointed as Receivers-Cum-Commissioners vide Court order dated 24.01.2023)

Application under order 22 Rule 10 and Order 1, Rule 10 R/W Section 151 of CPC praying that this Hon'ble Court may pleased to permit the Applicants/Proposed Party Defendants herein to come on record as Defendant No. in the suit in CS No. 13 of 1958 and in all Miscellaneous Applications if any pending in the interest of justice

Counsel for the Petitioners : Ms. Manjari S Ganu

Counsel for the Respondents : Sri G.Anandam

The Court made the following : ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND**

THE HONOURABLE SRI JUSTICE N.V. SHRAVAN KUMAR

Application No.1 of 2023 in C.S. No.13 of 1958

Date: 06.05.2026

Between:

Samana Fatima and another

... Implead Petitioners/Proposed Party Defendants
And

Syed Hassan and Four others

... Respondents/Plaintiffs

JUDGMENT: *(Per the Hon'ble Sri Justice N.V. Shravan Kumar)*

Ms. Manjiri S Ganu, learned counsel representing Implead Petitioners and Mr. G. Ananadam appearing for the respondents.

2. This Application is filed under Order XXII Rule 10 and Order I, Rule 10 read with Section 151 of Civil Procedure Code seeking to permit the Applicants/proposed party defendants to come on record as defendants in the suit in C.S. No.13 of 1958 and in all miscellaneous applications, if any pending.

3. It is the case of the Petitioners that suit in C.S. No.13 of 1958 was filed for partition of Mathruka properties of Late Nawab Mir Yousuf Ali Khan Salar Jung Bahadur III who died on 02.03.1949 leaving behind his vast properties both movable and immovable,

including self-purchased Maqtas and Nuzul lands. The then Government of Andhra Pradesh and presently Government of Telangana is one of the defendants in the suit. It is submitted that the Government has given up claims with regard to the landed properties including 12 Maqta villages and Nuzul lands. It is submitted that some of the parties in the above mentioned suit entered into a clandestine compromise without there being any right, title or entitlement and subsequently a Compromise Preliminary Decree was passed in the suit on 05.03.1959.

4. It is further submitted that late Nawab Mir Yousuf Ali Khan Salar Jung Bahadur III was the Prime Minister of the then Nizam Government of Hyderabad State and was a Shia Muslim. Salar Jung III was married to one Kaniz-e-Fatima and a daughter was born to them out of wedlock and was named as Zainab Begum. The said Zainab Begum was married on 31.01.1969 to one Mir Mustafa Ali Khan (now deceased) and a daughter was born out of wedlock on 01.12.1969 and was named as Muneerunissa Begum, who was the only daughter of Zainab Begum and grand-daughter of Mir Yousuf Ali Khan Salar Jung III. The said Muneerunissa Begum was married to one Syed Zahid Ali on 10.02.1990 and a son and two daughters namely Syed Murtuza Ali (son), Samana Fatima and Zainab Fatima (Daughters & Petitioners herein) were born to them.

5. It is further submitted that the said Muneerunissa Begum was declared as the natural daughter of Zainab Begum and grand daughter of late Nawab Mir Yousuf Ali Khan Salar Jung III by Family Court, City Civil Court, Hyderabad in O.S. No.168 of 1998 by order dated 07.04.1999, which had attained finality. Further, the said Muneerunissa Begum was also declared and recognized as grand-daughter of Nawab Mir Yousuf Ali Khan Salar Jung Bahadur III in RCS No.776 of 2002 on the file of Civil Judge Senior Division at Aurangabad dated 03.02.2003 and also in O.S. No.1449 of 2008 on the file of the IX Junior Civil Judge. It is further submitted that various Courts have declared late Muneerunissa Begum as the grand-daughter of Nawab Mir Yousuf Ali Khan Salar Jung Bahadur III. It is further submitted that in the suit in O.S. No.168 of 1998, the names of the present Applicants/Proposed Party Defendants, Samana Fatima and Zainab Fatima were mentioned as daughters of Muneerunissa Begum along with their father and brother. The said Muneerunissa Begum passed away in the year 2009. Subsequently her husband Syed Zahid, son Syed Murtuza Ali and daughters (the petitioners herein) were brought on record and impleaded as legal heirs of Muneerunissa Begum in O.S. No.1449 of 2008 vide I.A.No.39 of 2009 which was allowed declaring the petitioners as legal representatives of Muneerunissa Begum. After the death of Muneerunissa Begum, father and the brother of the petitioners were impleaded as legal representatives of Muneerunissa Begum vide orders in Application No.562 of 2014 dated 26.06.2014 in Suit in C.S. No.13 of 1958.

At that point of time, the Applicants were also the legal heirs of Muneerunissa Begum but were inadvertently not brought on record. The Applicants' father and brother i.e. Syed Zahid Ali and Syed Murtuza Ali, were granted Succession Certificate under Section 372 of Indian Succession Act on 20.04.2020 by the Civil Judge Senior Division at Aurangabad in M.A.R.J.I. No.197 of 2020. The said order in M.A.R.J.I. No.197 of 2020 was challenged by Syed Abdul Wahab before the High Court of Judicature at Bombay Bench at Aurangabad being 78 First Appeal No.28 of 2021 with CA/520/2021 in FA/28/2021, which was dismissed and the Court directed the Appellant to approach appropriate Forum, pursuant to which an appeal was filed before ad-hoc District Judge-6 Aurangabad by name Civil MA No.209 of 2021, which was also dismissed on 05.02.2022.

6. It is further submitted that some of the parties, in collusion with land grabbers and real estate agents were granted orders without impleading the proper and necessary parties to the suit and in some applications, petitions and proceedings that are filed by the so-called interested parties, they are being shown as necessary parties to the said applications and as not-necessary parties in some other applications, and thereby orders were obtained on such misrepresentation. It is further submitted that the actual and true legal heirs are neither being made parties nor shown as proper and necessary parties. It is further submitted that inadvertently the Applicants/Proposed Party Defendants herein were not brought on

record at the earlier point of time, as the Applicant No.1 was newly married and went to Australia with her husband and the Applicant No.2 was a minor and now both of them have attained majority and are married and are living in Australia. In view of the same, prayed this Court to permit the petitioners/ applicants to come on record as defendants in the said suit in C.S. No.13 of 1958.

7. It is further submitted that though the Government is the caretaker of the above mentioned Estate of Salar Jung III, the Government has issued G.O. Ms. No.118 dated 28.10.2022 seeking to regularize land occupied by illegal occupants in 44 colonies in various locations and in the said G.O. Ms. No.118 two villages belonging to the Estate of Nawab Salar Jung III, Kancha Parvathapur and Saheb Nagar Kalan are also included which caused prejudice to the legal heirs of Nawab Salar Jung III. Under those circumstances, the petitioners, along with their father and brother, challenged the said G.O. Ms. No.118 in W.P. No.5846 of 2023, and the Division Bench of this Court passed an interim order of stay of the operation of the said G.O. to the extent of Kancha Parvathapur and Saheb Nagar Kalan vide its order dated 13.03.2023. In the backdrop of the said facts and circumstances, the Petitioners/Applicants/Proposed Party defendants are seeking permission of this Court to come on record as defendants in the suit in C.S. No.13 of 1958.

8. Heard the learned counsel for the petitioners and perused the material made available on the record.

COURT PROCEEDINGS:

9. On a perusal of the record, it appears that during the course of scrutiny of the Application, the Registry returned the Application (SR) with certain objections i.e.

"1. Please file amended cause title in Civil Suit No.13 of 1958, in the above Application SR, for the purpose of verification of Cause title since not tallying.

2. Service is to be effected on all respondents to suit as well as Commissioner and Receiver."

Thereafter, the learned counsel for the Applicants answered as:

"1. Same casue title as in Application No.562 of 2014 in C.S. No.13 of 1958 has been typed in this application.

2. We undertake to send notices to all parties who are not represented by Counsel as per directions of Court – Copies are already served on newly appointed Receivers – Proof of Service enclosed. If not satisfied with our compliance post before Court."

In this regard, the Registry made an endorsement that cause title is not tallying and submitted for orders as to registration of the Application. It is further endorsed that *"when the case was listed on*

28.07.2023 for orders on Office Note, the Hon'ble Court pleased to pass the following order:

"Ms. Mangari S. Ganu, learned counsel for the applicant prays for and is granted two weeks' time to comply with the office objections. List on 11.08.2023."

10. Thereafter, the learned counsel for the Applicants has given the following endorsement stating that *"Since Amended Cause Title in C.S. No.13 of 1958 is not available, we undertake to file at the time of hearing if necessary, as we have already served copies to Commissioner/Receiver and we also to file covers and acknowledgements and relevant material after service of notice if court insists."* and the Registry submitted the note for orders as to registration of the Application.

On 28.07.2023:

"Ms. Manjari S.Ganu, learned counsel for the applicants prays for and is granted two weeks' time to comply with the office objections.

List on 11.08.2023.

On 11.08.2023:

"Ms. Manjari S.Ganu, learned counsel for the applicants prays for an adjournment to enable her to comply with the office objections.

List after three weeks.

On 01.09.2023:

"Ms. Manjari S. Ganu, learned counsel for the applicants.

Learned counsel for the applicants prays for and is granted four (04) weeks' time to enable her to file amended cause title.

List after four (04) weeks."

On 05.01.2024:

"Mr. Sunil B. Ganu, learned Senior Counsel appears for Ms. Manjari S. Ganu, learned counsel for the applicants.

Heard on the question of admission.

Issue notice to the respondents."

On 13.09.2024:

"Mr. T.S.Praveen Kumar, learned counsel representing Ms. Manjari S. Ganu, learned counsel for the applicants.

Learned counsel for the applicants prays for and is granted six weeks time to serve notice on the unserved respondents.

List thereafter."

On 12.12.2025:

"At the request of Mr. T.S.Praveen Kumar, learned counsel representing Ms. Manjari S. Ganu, learned counsel for the applicant, list the matter after one week."

On 19.12.2025:

“Heard Mr. T.S. Praveen Kumar, learned counsel represents Ms. Manjari S. Ganu, learned counsel for the applicants in Application Nos.1 and 2 of 2023.

Orders reserved.”

11. As observed from the record of Court proceedings, it appears that though several opportunities were given to comply with the office objections to the extent of filing of amended cause title, no compliance was made by way of filing amended cause title except filing a Memo dated 31.08.2023 in application (SR) No.15275 of 2023 in C.S. No.13 of 1958 stating that they have applied for furnishing the complete amended cause title in C.S. No.13 of 1958 on 22.08.2023 bearing C.D. No.10850 of 2023 to comply with the office objections in SR No.15275 and 15276 of 2023 in C.S. No.13 of 1958 to the Registry with a request to direct the concerned O.S. Section for complying with the CD. Thereafter no status/information is furnished.

ANALYSIS AND CONCLUSION:

12. This Application is filed by the Applicants seeking permission to come on record as defendants in C.S. No.13 of 1958. It is to be noted here that this Court by a common order dated 24.01.2023 in Applications No.299 and 1235 of 2012, appointed Commissioners to look into the extent of property involved in the suit and apportionment thereof amongst the parties to the suit in terms of

the preliminary decree drawn up on the basis of compromise and file report. Accordingly, the Commissioners have submitted a detailed report on 13.10.2025. Thereafter, this Court by order dated 16.10.2025 granted permission to the contesting parties to obtain report dated 13.10.2025 from the Registry and file objections, if any, on or before 27.11.2025. Upon request, the Registry was directed to furnish a copy of the Commissioners report dated 13.10.2025 and the matter was directed to be listed on 27.11.2025 under the caption 'Final Hearing'.

13. On perusal of the record, present Application is filed on 17.04.2023.

COMMISSIONER'S REPORT

14. For better appreciation, it is necessary to extract the relevant portion of the report dated 13.10.2025, which is extracted as under:

"N. FINDINGS

14. Now that the movable and immovable properties belonging to Nawab Salar Jung III appears to have been dealt with under the so called Compromise Preliminary Decree dated 05-03-1959 under the directions and permissions of this Hon'ble Court from the date of the Conditional Compromise Preliminary Decree dated 05-03-1959 till the order in I.A. No.417 of 1961 dated 09-02-1962, AND this Hon'be Court by order dated 09-02-1962 ordered passing of a final decree as prayed for under certain terms mentioned therein.

The office has to be directed to draw a final

decree in terms of the order in I.A. No.417 of 1961 dated 09-02-1962, if it remains unchallenged.

14.1 The record made available to us indicates that **Application No.2 of 2023 is filed praying the Court to declare the preliminary decree is passed under the garb of fake and false theory that Salar Jung Died issueless and he was unmarried and that the alleged compromise preliminary decree is not executable.**

14.2 The record made available to us indicates that Applications No.1 of 2023, 1 and 2 of 2024 and 1 of 2025 are filed claiming share in the property of Nawab Salar Jung III independently and hence they wanted their impleadment in CS 13 of 1958.

14.3 The applicants in Application No.1 of 2024 claim share in the property left behind by Nawab Salar Jung III, contending that the Salar Jung Estate has got mixed properties of the grand mother of the applicants therein ('Sahab Begum D/o Mir Alam Bahadur and grand father Ali Zaman Khan, Munir-ul-Mulk) and also the properties of one Habeebunnisa Begum D/o Mir Alam Bahadur and properties of Mir-i-Duran S/o Mir Alam Bahadur

14.4 In view of para 11 of conditional compromise preliminary decree and in view of peculiar circumstances under which the said conditional compromise preliminary decree came to be passed and in view of the fact that

order in I.A. No.417 of 1961 dated 09-02-1962 is passed directing the registry to draw final decree, the point that arises for the consideration of this Hon'ble Court is, whether the applicants in Applications No.1 and 2 of 2023, 1 and 2 of 2024 and 1 of 2025 can maintain such application in CS No. 13 of 1958.

14.5 In our humble opinion enquiry in Applications No.1 and 2 of 2023, 1 and 2 of 2024 and 1 of 2025 amounts to reopening the main suit in CS No.13 of 1958 which may amount to discarding the Compromise Preliminary Decree dated 05-3-1959. (Virtually undoing all the labor of the then Receiver-cum Commissioner)".

EFFECT OF PRELIMINARY DECREE:

15. In the said Commissioner's report dated 13.10.2025, the Commissioners questioned the maintainability of the present Application i.e. Application No.1 of 2023 in C.S. No.13 of 1958 and further opined that the said Application amount to discarding the Compromise Preliminary Decree dated 05.03.1959. Though this Court granted permission to the contesting parties to file objections, if any, to the said report, the Applicants have not filed any objections to the said report.

16. It is to be noted that compromise has already been recorded and preliminary decree was passed to that extent on 05.03.1959. The Applicants, at this point of time, by filing the present Application

and if considered would virtually amounts to reopening of the compromised preliminary decree dated 05.03.1959 in C.S. No.13 of 1958 and the Commissioners have rightly observed in the report that, it amounts to discarding the compromise preliminary decree dated 05.03.1959.

17. The Hon'ble Supreme Court in **Bimal Kumar and another Vs. Shakuntala Debi and others**¹ while observing the difference between preliminary and final decree in partition suit held that the term "compromise" essentially means settlement of differences by mutual consent and in such process, the adversarial claims come to rest. The relevant paras No.24 to 28 are extracted for reference:

"24. In *Renu Devi v. Mahendra Singh* [(2003) 10 SCC 200 : AIR 2003 SC 1608] the effect of a compromise decree and allotment of shares in pursuance of the said decree was dealt with. The two-Judge Bench referred to *Raghubir Sahu v. Ajodhya Sahu* [AIR 1945 Pat 482] and *Muzaffar Husain* [AIR 1933 Oudh 562] and opined that the law had been correctly stated in the said authorities.

25. In the said case, after referring to *Civil Procedure Code* by Mulla, this Court in *Renu Devi case* [(2003) 10 SCC 200 : AIR 2003 SC 1608] , while drawing a distinction between the preliminary and the final decree, has stated that a preliminary decree declares the rights or shares of the parties to the partition. Once the shares have

been declared and a further inquiry still remains to be done for actually partitioning the property and placing the parties in separate possession of the divided property, then such inquiry shall be held and pursuant to the result of further inquiry, a final decree shall be passed. A preliminary decree is one which declares the rights and liabilities of the parties leaving the actual result to be worked out in further proceedings. Then, as a result of the further inquiries conducted pursuant to the preliminary decree, the rights of the parties are finally determined and a decree is passed in accordance with such determination, which is the final decree. Thus, fundamentally, the distinction between preliminary and final decree is that: a preliminary decree merely declares the rights and shares of the parties and leaves room for some further inquiry to be held and conducted pursuant to the directions made in the preliminary decree which inquiry having been conducted and the rights of the parties finally determined a decree incorporating such determination needs to be drawn up which is the final decree.

26. Applying the principles laid down in the aforesaid authorities, it is graphically clear that in the case at hand, the parties entered into a compromise and clearly admitted that they were in separate and exclusive possession of the properties and the same had already been allotted to them. It was also admitted that they were in possession of their respective shares and, therefore, no final decree or execution was required to be filed. It is demonstrable that the compromise application does not contain any clause regarding the future course of action. The

parties were absolutely conscious and rightly so, that their rights had been fructified and their possession had been exclusively determined. They were well aware that the decree was final in nature as their shares were allotted and nothing remained to be done by metes and bounds. Their rights had attained finality and no further enquiry from any spectrum was required to be carried out. The whole thing had been embodied in the decree passed on the foundation of compromise.

27. It is to be borne in mind that the term "compromise" essentially means settlement of differences by mutual consent. In such process, the adversarial claims come to rest. The cavil between the parties is given a decent burial. A compromise which is arrived at by the parties puts an end to the litigative battle. Sometimes the parties feel that it is an unfortunate bitter struggle and allow good sense to prevail to resolve the dispute. In certain cases, by intervention of well-wishers, the conciliatory process commences and eventually, by consensus and concurrence, rights get concretised. A reciprocal settlement with a clear mind is regarded as noble. It signifies magnificent and majestic facets of the human mind. The exalted state of affairs brings in quintessence of sublime solemnity and social stability.

28. In the present case, as the factual matrix would reveal, a decree came to be passed on the bedrock of a compromise in entirety from all angles leaving nothing to be done in the future. The curtains were really drawn and the court gave the stamp of approval to the same. Thus, the

inescapable conclusion is that the compromise decree dated 3-4-1964 was a final decree.”

ON AUTHORISATION:

18. That apart, one Syed Zahid Ali S/o. Late Mir Sadiq Ali, who is father of the petitioners/Applicants and one of the GPA Holders of petitioners filed/deposed an affidavit on oath stating that *“I am the father of the petitioners/applicants and one of the GPA Holder of petitioners herein as such well acquainted with the facts of the case hence I am able to depose as follows:”*. In this connection, the Applicants filed a copy of deed of specific power of attorney dated 12.10.2022 executed by petitioner No.1, Samana Fatima. From the above deed of specific power of attorney, it is culled out that the petitioner No.1 had executed a Deed of Specific Power of Attorney appointing Syed Zahid Ali, Sanjeev Kumar Raut, Dr. Pramod Eknathrao Jadhav and Adv. Arunkumar Shyamarao Jadhav as attorneys No.1, 2, 3 and 4, respectively, authorising them to find out and recover the moveable and immoveable properties which stand in the name of the petitioners’ great-grandfather the Nawab Mir Yousuf Ali Khan Salar Jung Bahaddur III. It is observed from the Deed of Specific Power of Attorney authorising *“Attorney No.2 and 3 are hereby authorized to refer the dispute to arbitration or for the decision of a referee or to make statement binding on me, or to abide by the oath of any person in respect to said claim.”* Further, *“The attorney No.2 Mr.Sanjeev Kumar Raut S/o. Rattan Narayan Raut and attorney No.3 Dr.Pramod Jadhav S/o. Eknatharao Jadhav are hereby authorised to*

signing or verifying the same and that such person is a recognized agent of the party as defined by order III Rule 2 of the Code and is duly authorized and competent so to do.”

19. As per the Proceedings of this Court on 01.09.2023 and on subsequent dates, learned counsel for the petitioners sought time to file amended cause title however, the same has not been filed except filing a Memo dated 31.08.2023 vide Application (SR) No.15275 of 2023 in C.S. No.13 of 1958 stating that they have applied for furnishing the complete amended cause title in C.S. No.13 of 1958 on 22.08.2023 bearing C.D. No.10850 of 2023 to comply with the office objections in SR No.15275 and 15276 of 2023 in C.S. No.13 of 1958 to the Registry with a request to direct the concerned O.S. Section for complying with the CD. In this regard, it is not out of place to mention that as verified from the Registry, it is informed that the C.D. No.10850 of 2023 was applied on 22.08.2023 and the same was sent to O.S. Section and thereafter the same has been received by the C.D. Section on 31.08.2023 then the C.D. Section called for the lodgement schedule (payment). Since the Applicants did not comply with the objections of the Registry within the prescribed period, the same was struck off on 11.09.2023. However, it appears that no steps were taken to pursue the application for obtaining the amended cause title from the Registry.

20. Further, the petitioners claim to be the legal heirs of Muneerunnissa Begum. On a perusal of the entire affidavit wherein it is submitted that Muneerunnissa Begum was declared as natural daughter of Zainab Begum who was the daughter of late Nawab Mir Yousuf Ali Khan Salar Jung III by Family Court, City Civil Court, Hyderabad in O.S. No.168 of 1998 by order dated 07.04.1999, which had attained finality. However, the said Muneerunnissa Begum was not arrayed as party defendant to the main suit in C.S. No.13 of 1958. It is further submitted that after the death of Muneerunnissa Begum, father and brother of the petitioners were impleaded as legal representatives of Muneerunnissa Begum vide orders in Application No.562 of 2014 dated 26.06.2014 in C.S. No.13 of 1958. However, at that point of time as submitted in the Application, the present Applicants were also stated to be the legal heirs of Muneerunnissa Begum but inadvertently were not brought on record as legal heirs of Muneerunnissa Begum. However, no explanation was submitted to that extent. Even otherwise, upon a perusal of the Application No.562 of 2014 dated 26.06.2014, in the said order, the said Muneerunnissa Begum is not been recorded anywhere as party defendant to the compromise preliminary decree dated 05.03.1959. The learned Single Judge had declared the petitioners' father and brother are the only legal heirs and successors of the Muneerunnissa Begum. The operative portion of the order is extracted for reference:

“Recording the submission of the learned counsel for the applicants that they are the only legal heirs and successors of late Munnerunnisa Begum, who is the grand daughter of Salar Jung-III. and also considering the orders passed by various Courts referred supra, this is of the view that the applicants are necessary parties to C.S. No.13/1958.

Hence, this application is ordered impleading the applicants herein as defendants to C.S. No.13/1958.”

21. That apart, in the present application, filed by the Syed Zahid Ali i.e. father of the petitioners/applicants and one of the GPA holders, has not mentioned anywhere in the affidavit regarding their status as being impleaded in C.S. No.13 of 1958. It is pertinent to note that when the petitioners are claiming to be the legal heirs of the said deceased Muncerunnisa Begum, however, nowhere in the affidavit, filed in support of the Application No.562 of 2014 in C.S. No.13 of 1958, had mentioned the status of late Muneerunnissa Begum as party defendant to the suit. Further, the petitioners have not filed the copy of the compromise preliminary decree to substantiate their lineal descendency. The applicants, at this belated stage, without explaining the status of their mother as party (defendant number) and who is not being arrayed in C.S. No.13 of 1958 in the cause title and in the absence of that, the prayer sought for in this application is without any basis. As such, the claim of the petitioners/applicants to implead them as party defendant based on lineal descendency from the said

Muneerunnissa Begum who herself is not arrayed as party defendant in C.S. No.13 of 1958 cannot be entertained.

22. Even on a perusal of the latest amended cause title issued by the Registry on 27.01.2026, the said Muneerunnissa Begum has not been arrayed as defendant in the cause title, which has been updated by the Registry, from time to time. Further the petitioners' father, who is GPA holder in the present application, was also not arrayed as defendant in the suit in C.S. No.13 of 1958. though an opportunity was given to the parties to file objections, if any, to the Commissioners' report dated 13.10.2025, no objections have been filed on behalf of the Applicants.

23. In view of the foregoing observations and after due consideration of the report of the Commissioner dated 13.10.2025, this Court is of the considered view that the present Application suffers with several material defects and discrepancies and is devoid of merits. Accordingly, the prayer sought for by the Petitioners in the present Application seeking permission to come on record as defendants in C.S. No.13 of 1958 cannot be entertained at this belated stage and this Application No.1 of 2023 in C.S. No.13 of 1958 is liable to be dismissed.

Accordingly, Application No.1 of 2023 in C.S. No.13 of 1958 is dismissed.

SD/- A.V.S.S.C.S.M. SARMA
JOINT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

One Fair Copy to the Hon'ble THE CHIEF JUSTICE APARESH KUMAR SINGH
(For His Lordships kind Perusal)

One Fair Copy to the Hon'ble Sri Justice N.V.SHRAVAN KUMAR
(For His Lordships kind Perusal)

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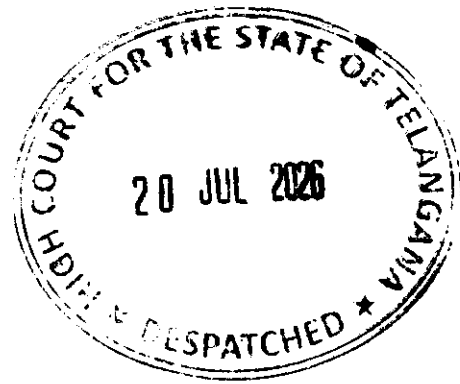
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HIGH COURT

DATED: 06/05/2026

ORDER

**APPLICATION NO: 1 OF 2023
IN
C.S.NO.13 OF 1958**



**DISMISSING THE APPL No.1 OF 2023 IN
C.S.No.13 OF 1958**

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