

**HON'BLE SRI JUSTICE R.SUBHASH REDDY  
AND  
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

**CIVIL MISCELLANEOUS APPEAL No.711 of 2015**

**JUDGMENT :** (per Hon'ble Sri Justice R.Subhash Reddy)

This Civil Miscellaneous Appeal, under Order 43 Rule 1 (r) C.P.C., is filed by the appellant/Defendant No.5 aggrieved by the order and decree dated 08.07.2015 in I.A.No.1194 of 2015 in O.S.No.501 of 2015 passed by the II Additional Chief Judge, City Civil Court, Hyderabad, restraining the respondents therein and their agent etc., from making any constructions or alterations over the petition schedule properties, pending further orders.

2. During the course of hearing, it is brought to our notice that in the aforesaid I.A., though the appellant/defendant No.5 has filed counter affidavit, without taking the same into consideration, orders have been passed and interim injunction granted by the Court below is causing much inconvenience to the appellant/defendant No.5 in taking up the construction activity in the petition schedule properties.

3. In view of the same, since it is represented that counter affidavit has already been filed on behalf of the appellant/defendant No.5 in I.A.No.1194 of 2015, without going into the merits of the case, we deem it appropriate to dispose of this Civil Miscellaneous Appeal, directing the learned II Additional Chief Judge, City Civil Court, Hyderabad, to dispose of I.A.No.1194 of 2015 in O.S.No.501 of 2015, as expeditiously as possible, preferably within a period of four

weeks from the date of receipt of a copy of this judgment.

4. Subject to the above direction, this Civil Miscellaneous Appeal is disposed of. As a sequel, miscellaneous petitions pending, if any, in this appeal shall stand closed. No order as to costs.

5. Registry is directed to dispatch a copy of this judgment within three days from today.

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JUSTICE R. SUBHASH REDDY

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JUSTICE A. SHANKAR NARAYANA

26.10.2015.

Msr

HON'BLE SRI JUSTICE R.SUBHASH REDDY  
AND  
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26.10.2015  
Msr