

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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CIVIL REVISION PETITION No.4511 OF 2015

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ORDER:

The present Revision filed under Article 227 of the Constitution of India, plaintiff/petitioner herein is praying for a direction from this Court to the Court of the Junior Civil Judge, Kanigiri, Prakasam District, to dispose of I.A.No.214 of 2011 in O.S.No.31 of 2011.

2. Heard Sri V.V.L.N.Sarma, learned counsel, appearing for the petitioner and Sri Md.Saleem, learned counsel, appearing for the respondents, apart from perusing the material available on record.

3. Plaintiff/petitioner herein instituted O.S.No.31 of 2011 on the file of the Court of Junior Civil Judge, Kanigiri, Prakasam District, for permanent injunction. Along with the said suit, plaintiff also filed I.A.No.214 of 2011. The learned Judge on 04.03.2011 granted *ad-interim ex-parte* injunction. In the said I.A., according to the learned counsel for the petitioner, 1st respondent herein filed a counter and the respondents 2, 4, 6, 8 and 9 adopted the same.

4. Reiterating the grounds of Revision, it is submitted by learned counsel for the petitioner that the respondents are dragging on the matter on one ground or the other without allowing the Court below to dispose of the I.A. finally. It is further submitted by learned counsel for the petitioner that under Order 39 Rule 3A of the Civil Procedure Code, it is obligatory on the part of the Court below to dispose of the application for injunction within thirty days from the date of granting injunction. The request made by the petitioner is not opposed by the other side and on the otherhand, expressed no objection.

4. Having regard to the nature of the relief, Revision is disposed of, directing the Court of the Junior Civil Judge, Kanigiri, Prakasam District, to dispose of the I.A.No.214 of 2011 in O.S.No.31 of 2011, within a period of one month from the date of receipt of a copy of this Order. The Court below shall also make an endeavour to

dispose of the main suit as expeditiously as possible.

5. Miscellaneous petitions pending consideration, if any, in the Revision Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

04th December, 2015

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