

HONOURABLE SRI JUSTICE A.V. SESA SAI

CIVIL REVISION PETITION No. 3758 OF 2012

DATED 24TH MARCH, 2015.

BETWEEN

Ballu Manjula and anr

....Petitioners

And

Dontharavana Ramulu

....Respondent.

HONOURABLE SRI JUSTICE A.V. SESA SAI

CIVIL REVISION PETITION No. 3758 OF 2012

ORDER:

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Defendants in O.S.No.107 of 2010 on the file of the Court of learned Junior Civil Judge, Husnabad, Karimnagar District are the petitioners in the present Civil Revision Petition filed under Article 227 of the Constitution of India. In the present revision, the challenge is to the order dated 30.12.2011 passed by the learned Senior Civil Judge, Huzurabad in C.MA.No.9 of 2011, confirming the order passed by the learned Junior civil Judge, Husnabad in I.A.No.402 of 2010 in O.S.No.107 of 2010, dated 07.02.2011.

Heard Sri K.Mahender Reddy, learned counsel for the petitioners and Sri G.Vidyasagar, learned Counsel for the respondent. Perused the material available before this Court.

The respondent herein instituted the above mentioned suit against the petitioners for perpetual injunction in respect of the suit schedule property. Along with the said suit, the

plaintiff/respondent herein filed I.A.No.402 of 2010 under the provisions of Order 39 Rules 1 and 2 of CPC seeking temporary injunction. The learned Junior Civil Judge, Husnabad by way of order dated 07.02.2011 allowed the said application granting injunction in favour of the plaintiff/respondent herein. As against the said order of injunction granted by the trial Court, the defendants/petitioners herein preferred C.M.A.No.9 of 2011 before the Court of learned Senior Civil Judge, Huzurabad. The learned Senior Civil Judge by virtue of the order dated 30.12.2011 dismissed the said appeal filed by the petitioners herein under the provisions of Order 43 Rule 1 of CPC. Calling in question, the validity and legal sustainability of the order passed by the Courts below, the present revision has been filed.

This Court by order dated 12.10.2012 granted an order of status quo and the said order is subsisting till today.

When the matter is called to day, it is agreed to by the learned Counsel on either side that the said order of status quo may be continued till the disposal of the suit by the learned Junior Civil Judge, Husnabad and a request is made by the learned Advocates to direct the trial Court to dispose of the suit as expeditiously as possible.

Taking into consideration the said request made by the learned Counsel on either side, the Civil Revision Petition is disposed of, directing both the parties to maintain status quo pending disposal of O.S.No.107 of 2010 on the file of the learned Junior Civil Judge, Husnabad. The Court of learned Junior Civil Judge, Husnabad is also directed to dispose of O.S.No.107 of 2010 pending on its file, on merits, as expeditiously as possible, preferably within a period of six

months from the date of receipt of a copy of this order.

With the above directions, the Civil Revision Petition is disposed of. Miscellaneous petitions pending consideration if any in the Civil Revision Petition shall stand closed. No order as to costs.

JUSTICE A.V. SESA SAI

DATED 24 MARCH, 2015.

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