

**In the High Court of Judicature at Hyderabad
for the State of Telangana and the State of Andhra
Pradesh**

Civil Revision Petition No.3105 of 2015

Between:

Chittiprolu Guravaiah

... Petitioner

and

-
Varagani Seethaiah and another

...Respondents

Date of Judgment Pronounced: 14-08-2015

Submitted for Approval:

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

1. Whether Reporters of Local newspapers
Yes/No
may be allowed to see the judgments ?
2. Whether the copies of judgment may be
Yes/No
marked to Law Reporters/Journals
3. Whether Their Ladyship/Lordship wish to
Yes/No
see the fair copy of the Judgment ?

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Civil Revision Petition No.3105 of 2015

Dated 14.08.2015

Between:

Chittiprolu Guravaiah

... Petitioner

and

–
Varagani Seethaiah and another

...Respondents

Counsel for the Petitioner: Mr.Pasam Srinivas Reddy

Counsel for the respondents: None appeared

The Court made the following:

Order:

This Civil Revision Petition arises out of Order, dated 30.04.2015, in IA.No.128 of 2015 in CMA.No.1 of 2015, on the file of the Court of the learned X Additional District Judge, Gurazala.

I have heard Mr.Pasam Srinivas Reddy, learned Counsel for the petitioners, and perused the record.

The petitioners filed OS.No.112 of 2014 for declaration of title and permanent injunction in respect of the suit schedule property. They have also filed IA.No.441 of 2014 in the said suit for temporary injunction. By Order, dated 11-03-2015, the trial Court has granted temporary injunction. Feeling aggrieved by the said order, the respondents have filed CMA.No.1 of 2015 before the lower Court. They

have also filed IA.No.128 of 2015 for interim suspension of injunction order granted by the trial Court. After hearing both sides, the lower appellate Court has granted stay of the injunction order granted by the trial Court.

A perusal of the order under revision shows that the same was passed after hearing both sides, but it is stated therein that the interim stay is granted until further orders. It is, thus, clear that IA.No.128 of 2015, in which the interim order of stay was granted by the lower appellate Court, is still pending. Therefore, the petitioners ought to have requested the lower appellate Court to dispose of the IA and pass a final order.

However, the learned Counsel for the petitioner submitted that the lower appellate Court may be directed to dispose of CMA.No.1 of 2015 itself instead of passing further order in IA.No.128 of 2015.

In view of the above request, the lower appellate Court is directed to dispose of CMA.No.1 of 2015 within a period of six weeks from the date of receipt of this order.

Subject to the above direction, the Civil Revision Petition is disposed of.

As a sequel to disposal of the Civil Revision

Petition, CRPMP.No.4139 of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 14th August, 2015
LUR