

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.1298 of 2015

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10.04.2015

Between:

V.Chandramouleshwar Rao

...Petitioner

And

ECIL Officers' Association, Hyderabad and another

...Respondents

Counsel for the petitioner: Mr.K.Muralidhar Reddy

Counsel for respondents: --

The Court made the following:

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ORDER:

This civil revision petition arises out of the docket order, dated 09.03.2015 in I.A.No.74 of 2015 in O.P.No.68 of 2015 on the file of learned IV Additional District Judge, Ranga Reddy District at L.B.Nagar.

The petitioner filed the aforesaid O.P. to declare the action of respondent No.1 in seeking to replace the petitioner as working president as illegal and arbitrary and for permanent injunction restraining the respondents from replacing the petitioner as the working president.

In the said O.P., the petitioner also filed the aforesaid I.A. for an *ex parte ad interim* injunction. The lower Court, by the aforesaid order, while recording the presence of respondent Nos.1 and 2 and filing of vakalats by their respective counsel, adjourned the case to 26.03.2015 for filing counter-affidavit. Feeling aggrieved by this docket order, the petitioner filed this revision.

In my opinion, a fair amount of discretion lies in the lower Court whether to grant an *ex parte ad interim* injunction or to order notice to the respondent before considering grant of interim relief. If such discretion is exercised, the petitioner cannot question the same as no order adverse to his interests has been passed.

Sri K.Muralidhar Reddy, learned counsel for the petitioner, submitted that on 26.03.2015, when the case was called, counsel representing the parties were not present and therefore, the lower Court has adjourned the case to 28.04.2015.

In the light of the above facts, the lower Court is directed to pass appropriate orders in I.A.No.74 of 2015 in O.P.No.68 of 2015, after hearing both sides, either on the next date of posting or at least, within two weeks thereafter.

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

As a sequel to disposal of the Civil Revision Petition, C.R.P.M.P.No.1766 of 2015 filed by the petitioner for injunction shall stand disposed of as infructuous.

(C.V.NAGARJUNA REDDY, J)

10th April, 2015

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