

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

CIVIL REVISION PETITION Nos. 1686 and 1727 of 2014

COMMON ORDER:

Heard learned counsel for the parties.

These civil revision petitions impugn the order, dated 24.02.2014, passed by the Court below, whereby E.A.Nos.121 and 122 of 2013 filed by the petitioner were dismissed. By these applications, the petitioner's challenged the maintainability of E.A.Nos.115 and 116 of 2013 filed by the Collector, Hyderabad. Those applications were filed under Order 21 Rule 99 of the Code of Civil Procedure. The petitioner could have opposed those applications in the course of hearing on the ground of its maintainability. Instead of doing so, he chose to file E.A.Nos.121 and 122 of 2013, which applications were dismissed by the impugned order.

After hearing learned counsel for the petitioner for some time, he agreed for the order, directing the Court below to decide E.A.Nos.115 and 116 of 2013 on merits in accordance with law within time frame with liberty to the petitioner to challenge the order passed thereon, if adverse to him, in further proceedings on all grounds, including the grounds of challenge raised in the present revisions. In other words, he seeks liberty to the petitioner to challenge the order that will be passed on E.A.Nos.115 and 116 of 2013, if adverse to the petitioner, along with the order impugned in the present civil revision petitions in

subsequent proceedings.

In the circumstances, I am satisfied that these civil revision petitions can be conveniently disposed of by the following order:

“The Court below shall decide E.A.Nos.115 and 116 of 2013, as expeditiously as possible and preferably within six weeks from the date of receipt of this order. Learned counsel for the petitioner is directed to produce copy of this order before the Court below within ten days from today. All contentions on merits of the case are kept open.

It is open to the petitioner to challenge the order that will be passed on E.A.Nos.115 and 116 of 2013, if adverse to him, along with the order impugned in the present civil revision petitions in appropriate proceedings.”

Consequently, miscellaneous petitions, if any, also stand disposed of. No costs.

DILIP B.BHOSALE,J

Dt:23.01.2015

kdl

