

**THE HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**
-
C.M.A.Nos.1038 AND 1103 OF 2014

COMMON JUDGMENT: (Per Hon'ble Sri Justice R. Subhash Reddy)

Both these appeals are filed aggrieved by the order, dated 11.09.2014, passed in I.A.No.2151 of 2011 in O.S.No.63 of 2011 by the learned II Additional District Judge, Kadapa at Proddatur.

The aforesaid Suit was filed for partition and separate possession of suit schedule properties. In the said Suit, plaintiffs filed the present I.A., under Order XXXIX Rules 1 and 2 C.P.C., seeking temporary injunction restraining the defendants and their men from alienating the suit schedule properties to third parties, pending disposal of the Suit. The trial Court, by impugned order, dated 11.09.2014, partly allowed the I.A. by granting temporary injunction in favour of plaintiffs with regard to item No.3 i.e., house bearing No.8/275, while dismissing the I.A. with regard to item Nos.1, 2 and 4 of the suit schedule properties.

When the appeals are called for hearing, it is brought to the notice of this Court that in a Transfer Petition, this Court directed to dispose of the Suit itself

within six (6) months and pursuant to the same, trial has already been commenced in the Suit.

Inasmuch as trial has already been commenced in the Suit, having regard to the order passed by the trial Court, we deem it appropriate to dispose of these appeals with a direction to the trial Court to dispose of the Suit as expeditiously as possible, preferably within a period of six (6) months as directed by this Court earlier.

Subject to the above, the appeals are disposed of. Miscellaneous Petitions, if any, pending in these appeals shall stand closed. No costs.

R.SUBHASH

REDDY, J

A.SHANKAR

NARAYANA, J

June 18, 2015

MD