

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.3059 of 2009

ORDER :

Heard Sri C.B. Ram Mohan Reddy, counsel for petitioner. None appears for Respondent.

2. This Revision is filed challenging the order dt.06.11.2008 in C.M.A.No.44 of 2008 confirming the order dt.20.12.2007 in I.A.No.837 of 2007 in O.S.No.1672 of 2007 on the file of II Senior Civil Judge, City Civil Court, Hyderabad.
3. The counsel for petitioner submits that this Revision along with another batch of Revision was filed challenging similar orders; that on 24.10.2010 in C.R.P.No.5949 of 2008 and batch, this Court granted an *ad interim* injunction against respondents restraining respondents from alienating the property pending disposal of the suit; and a similar order be passed herein.
4. In C.R.P.No.5949 of 2008 and batch, this Court held :

"Since all these revisions involve common question, at the request of the learned counsel on either side, they are taken up together for disposal.

In all these revisions, the petitioners are the plaintiffs, who seek to assail the proceedings arising under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908. The trial Court did not accede to their request and the lower appellate Court also dismissed their applications. But in some of the cases, interim injunction was granted and the same is still subsisting. In view of the same and since the main suit in O.S.No.1788 of 2007 on the file of the II Senior Civil Judge, City Civil Court, Hyderabad, is coming up for arguments, it is not necessary to go into the merits of the case or consider the findings arrived at, as such.

Hence, all the Civil Revision Petitions are disposed of directing the trial

Court to dispose of the suit, as expeditiously as possible, uninfluenced by any of the observations made in these proceedings. It is needless to mention that pending disposal of the suit, there shall be interim injunction to the respondents not to alienate the property. No costs."

5. Having regard to the above order, since it is represented that the order therein would govern the present case also, following the same, this Revision is disposed of directing the Court below to dispose of the suit as expeditiously as possible uninfluenced by any of the observations made in I.A.No.837 of 2007 or C.M.A.No.44 of 2008; and further directing that, pending disposal of the suit O.S.No.1672 of 2007, the respondent shall not alienate the plaint property. No order as to costs.
6. Miscellaneous applications, pending if any in this Revision, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 08-06-2015

Ndr/*