

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

C.R.P.No.2451 of 2014

ORDER:

Heard Sri N.Subba Rao, learned counsel for the petitioner and Sri M.V.Hanumantha Rao, learned counsel for the respondents.

2. This Revision Petition is filed under Article 227 of the Constitution of India challenging the order dt.31-12-2010 in I.A.No.40 of 2010 in O.S.No.55 of 2010 of the Junior Civil Judge, Gajuwaka, Visakhapatnam.

3. The petitioner herein is the plaintiff in the suit. He filed the suit seeking a perpetual injunction restraining the respondents from interfering with his possession and enjoyment of the plaint schedule property.

4. Along with the suit, he also filed I.A.No.40 of 2010 in O.S.No.55 of 2010 under Order 39 Rule 1 and 2 CPC seeking a temporary injunction pending disposal of the suit restraining the respondents from interfering with his possession and enjoyment of the plaint schedule property.

5. The trial Court granted ad interim injunction initially which was made absolute on 31-12-2010.

6. Challenging the same, the respondents

filed C.M.A.No.5 of 2011 before the Senior Civil Judge, Gajuwaka. The said appeal was allowed on 02-06-2014. But the lower appellate Court directed the respondents not to proceed with any construction in the suit schedule property for six months or till conclusion of the trial, and directed the trial Court to dispose of the suit within six months from the date of receipt of a copy of that order.

7. Challenging the order in the C.M.A., this Revision Petition is filed.

8. On 01-08-2014, this Court directed *status quo* prevailing as on that day with regard to petition scheduled property shall be maintained and the said order has continued subsequently and is subsisting even as on date.

9. In this view of the matter, without going into the merits of the case, I deem it appropriate to direct the trial Court to dispose of the suit within a period of six months from the date of receipt of a copy of this order and pending disposal of the suit, both parties are directed to maintain *status quo* and not to make any constructions in the plaint schedule property till the disposal of the suit.

10. Civil Revision Petition is disposed of with the above directions. No costs.

11. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 25-08-2015

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