

HON'BLE SRI JUSTICE R.SUBHASH REDDY

CIVIL REVISION PETITION No.673 of 2015

ORDER :

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/plaintiff aggrieved by the action of the III Additional Senior Civil Judge, Vijayawada, in not disposing of I.A.No.60 of 2014 in O.S.No.415 of 2013 filed under Order 15A (1) and Section 151 of C.P.C., seeking a direction to the respondent/defendant to deposit arrears of rent from October, 2011 to till date and to continue to deposit the monthly rents into the Court till disposal of the main suit.

2. The petitioner/plaintiff filed the aforesaid suit for eviction of the respondent/defendant from the plaint schedule premises and to deliver vacant possession of the same. In the said suit, he filed I.A.No.60 of 2014 seeking a direction to the respondent/defendant to deposit arrears of rent from October, 2011 to till date and continue to deposit the monthly rents into the Court till disposal of the main suit. The grievance of the petitioner/plaintiff is that though the said I.A. was filed in the year 2013 and numbered in the year 2014, no steps are being taken by the Court below to dispose of the application.

3. Heard learned counsel for the petitioner and perused the material on record.

4. The specific object of inserting Order 15A (1) of

C.P.C., is not to allow the defendant to continue the eviction proceedings without paying arrears of rent. When it is the allegation of the petitioner/plaintiff that there are arrears of rent payable by the respondent/defendant, it is obligatory on the part of the Court below to decide the interlocutory application, expeditiously.

5. Therefore, having regard to the relief sought for in the I.A., I deem it appropriate to direct the learned III Additional Senior Civil Judge, Vijayawada, to dispose of I.A.No.60 of 2014 as expeditiously as possible, preferably within a period of two months from today.

6. Subject to the above direction, this civil revision petition is disposed of, at the admission stage. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH

REDDY
27.02.2015.
Msr

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