

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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CIVIL REVISION PETITION No. 54 of 2015

ORDER:

Order dated 02.09.2014 passed in I.A.No.248 of 2013 is challenged in this revision.

2. The revision petitioners are defendants 1 and 3 in O.S.No.4 of 2013 on the file of Special Assistant Agent-cum-Sub Divisional Magistrate, Mobile Court, at Bhadrachalam. I.A.No.248 of 2013 was filed by the defendants in O.S.No.4 of 2013, seeking to vacate the injunction order granted in I.A.No.4 of 2013 on 09.10.2013. The order in I.A.No.4 of 2013 reads that inspite of repeated opportunities given to the defendants they did not choose to appear. Further, considering the fact that the respondents/plaintiffs were already issued with pattadar passbooks and that the land is in a schedule area and as the plaintiffs are Scheduled Tribes, injunction was granted after setting the petitioners/defendants, *ex parte*. Seeking to set aside the *ex parte* order dated 09.10.2013, I.A.No.248 of 2013 came to be filed in the month of December, 2013, without preferring a delay condonation petition. The said I.A was dismissed as barred by limitation, and on finding that no petition was filed for condonation of delay.

3. I see no reason to interfere with the impugned order. However, considering the fact that the main suit is of the year 2013, interest of justice would be served if a direction is issued to the Special Assistant Agent-cum-Sub-Divisional Magistrate, Mobile Court, at Bhadrachalam, to conclude the trial and dispose of the main suit itself within a period of six months from today.

3. Accordingly, the civil revision petition is disposed of. No costs.

Miscellaneous petitions, if any pending in this revision, shall stand closed.

CHALLA KODANDA RAM, J

24th March, 2015
ksm