

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No.3108 of 2015

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ORDER:

This Civil Revision Petition is filed by the defendant in O.S.No.293/2009 on the file of the Court of the learned Principal Senior Civil Judge, Kurnool. The respondent-plaintiff filed the above suit for specific performance of agreement of sale dated 18.04.1989. In the said suit, the plaintiff filed I.A.No.1118/2010 seeking temporary injunction against the defendant from interfering into the possession and enjoyment of the suit schedule property, and temporary injunction was granted by the learned Principal Senior Civil Judge, Kurnool, by order dated 11.11.2010.

Though the order of temporary injunction is an appealable order, but the petitioner herein chose to file the present Civil Revision Petition nearly after a lapse of five years after passing the said order.

Learned counsel for the respondent submits that the petitioner, in fact, filed C.M.A. No.41/2010 before the learned IV Additional District Judge, Kurnool, and the said C.M.A. was dismissed for non-prosecution, by order dated 25.07.2013.

The said fact was not informed to the learned counsel appearing in the present Civil Revision Petition and there is suppression of that fact.

In the above circumstances, this Court is not inclined to admit the present Civil Revision Petition. Since the suit is of the year 2009, the learned Principal Senior Civil Judge, Kurnool, is directed to dispose of O.S. No.293/2009 as expeditiously as possible, but not later than 30.09.2016.

Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

A.RAMALINGESWARA RAO, J

08.12.2015

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