

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

C.R.P.No.4710 of 2014

ORDER:

Heard Sri K.Someswar Kumar, learned counsel for the petitioner and Sri A.Jagan, learned counsel for the respondent.

2. This Revision Petition is filed challenging the order dt.16-07-2014 in C.M.A.No.1 of 2010 in O.S.No.166 of 2008 of the V Additional District Judge, Bhongir.

3. The 1st Petitioner herein is the plaintiff in the suit. He filed the suit for perpetual injunction restraining the respondent from interfering with his possession and enjoyment of the suit schedule property.

4. He also filed I.A.No.842 of 2008 under Order 39 Rules 1 and 2 CPC to grant a temporary injunction pending suit restraining the respondents from interfering with his possession and enjoyment of the said property.

5. The respondent Nos.1 and 2 are none other than the nephew and sister-in-law of the petitioner.

6. The petitioner claims the plaint schedule property under a gift deed allegedly executed by his maternal grandmother P.Ramakka in his favour.

7. Title of the petitioner was disputed by the respondents and it was also alleged that he has no possession and enjoyment of the property. They contended that the petitioner is a co-owner along with three others.

8. Before the trial Court, petitioner marked Exs.A-1 to A-13 and the respondents marked Exs.B-1 to B-20.

9. By order dt.10-12-2009, the Court below granted temporary injunction in favour of the petitioner.

10. The respondent Nos.1 and 2 challenged the same in C.M.A.No.1 of 2010 before the V Additional District Judge, Bhongir.

11. By order dt.16-07-2014, the said appeal was allowed and the order passed by the trial Court set aside.

12. Challenging the same, this Revision Petition is filed.

13. Pending Revision Petition, the petitioner died and his legal representatives are brought on record as petitioner Nos.2 to 8.

14. Having regard to the fact that for a period of more than one year, there is no injunction in favour of the petitioners herein and since the matter is said to be

coming up for trial, without expressing any opinion on the merits of the case of either parties, the Civil Revision Petition is disposed of directing the Senior Civil Judge, Bhongir to dispose of O.S.No.166 of 2008 pending on his file as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order. No costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 28-08-2015

kvr