

**THE HON'BLE SRI JUSTICE A.V. SESA SAI**

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**CIVIL REVISION PETITION No.4430 OF 2015**

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**ORDER:**

The grievance of the petitioner in the present Revision filed under Article 227 of the Constitution of India is non-disposal of I.A.No.433 of 2015 on the file of the Court of Principal Junior Civil Judge, Chirala, Prakasam District.

2. Heard Sri Naga Praveen Vankayalapati, learned counsel appearing for the petitioner. Despite service of notice, none appears for the respondents.

3. Petitioner is the defendant in O.S.No.62 of 2015 on the file of the Court of Principal Junior Civil Judge, Chirala, Prakasam District, instituted by the respondent herein for permanent injunction. Along with the said suit, respondent herein also filed I.A.No.433 of 2015 under the provisions of Order 39 Rules 1 and 2 of Code of Civil Procedure (herein after, 'CPC') praying for ad-interim injunction. The learned Junior Civil Judge, on 07.05.2015, granted an order *Status quo*. The defendant/petitioner herein filed a counter on 01.06.2015 resisting the said application.

4. The grievance of the petitioner herein in the present Revision is despite filing of counter as long back as on 01.06.2015, no orders have been passed by the Court below on I.A.No.433 of 2015, though it is incumbent on the part of the Court below to dispose of the I.A. finally within thirty days from the date of granting injunction as per Rule 3(A) of Order 39 of the CPC.

5. Having regard to the nature of controversy, this Court is of the considered opinion that the interest of justice would be met, if the Court below is directed to dispose of the I.A.No.433 of 2015 by fixing some time frame.

6. For the aforesaid reasons, Revision is disposed of, directing the Court of Principal Junior Civil Judge, Chirala, Prakasam District, to dispose of I.A.No.433 of 2015 within a period of one month from the date of receipt of a copy of this order.

7. Miscellaneous petitions pending consideration, if any, in the Revision Petition

shall stand closed in consequence. No order as to costs.

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**A.V.SESHA SAI, J**

20<sup>th</sup> November, 2015

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