

HONOURABLE SRI JUSTICE S.V. BHATT

CIVIL REVISION PETITION No. 1596 of 2015

DATED 12TH JUNE, 2015

BETWEEN

Raya Padmanabha Rao and aor

....Petitioners

And

Hanigi Abdul Vaheed and ors

..Respondents.

HONOURABLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No. 1596 of 2015

ORDER:

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Plaintiffs in O.S.No.467 of 2010 in the Court of Principal Senior Civil Judge, Nellore, are the revision petitioners. The revision petitioners filed I.A.No.707 of 2013 for a direction to the second respondent herein to pay a sum of Rs.5500/- per month as rent for shop room No. 7, Trunk Road, Nellore. Through the order impugned, the learned trial Judge considered the averments of both the parties made in this behalf and found it difficult to consider for grant of prayer at this

stage of matter.

I have carefully examined the stand taken by the parties in the affidavit, counter affidavit and the findings recorded by the learned trial judge. Either way, even to consider the illegalities now sought to be pointed out in the order impugned on the entitlement of the petitioner for a direction against the second respondent to deposit rent, this Court is required to re-examine the fact in issue between the parties. Such course is not appropriate when trial is pending before the learned trial Judge. I see no error in the order impugned. The Revision Petition is dismissed with the following observation.

The learned Senior Civil Judge is directed to dispose of O.S.No.467 of 2010 as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order uninfluenced by any of the observations for the conclusion reached by the trial Court in I.A.No. 707 of 2013.

Miscellaneous petitions pending consideration if any in the Civil Revision Petition shall stand closed in consequence. No order as to costs.

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JUSTICE S.V.BHATT

Dated 12TH JUNE, 2015.

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