

**HON'BLE SRI JUSTICE R.SUBHASH REDDY**

**AND**

**HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

**CIVIL MISCELLANEOUS APPEAL Nos.407 & 502 of 2015**

**COMMON JUDGMENT:** *(Per Hon'ble Sri Justice R.Subhash Reddy)*

Both these appeals arise out of same order, dated 24.02.2015, in I.A.No.1875 of 2013 in O.S.No.642 of 2013 on the file of II-Additional District Judge, Ranga Reddy District at L.B.Nagar. Hence, they are heard and being disposed of together.

Respondent No.1 in both these appeals is the plaintiff in the aforesaid suit filed for perpetual injunction. In the said suit, an interlocutory application is filed under Order XXXIX Rules 1 and 2 of CPC seeking temporary injunction restraining the defendants from interfering with the peaceful possession and enjoyment of plaintiff over the plaint schedule property. During the course of hearing, it is stated that ad-interim injunction was granted on 30.05.2013 and the same is made absolute by the impugned order dated 24.02.2015. Questioning the same, defendants 1,3 and 5 have filed CMA.No.407 of 2015, whereas defendant No.6 has filed CMA.No.502 of 2015.

Heard learned counsel for the appellants and learned counsel for the respondents.

It is contended by learned counsel appearing for the appellants that earlier suit with regard to the same property was already decided and the same will operate as res judicata, but in spite of the same,

injunction orders are granted. It is also submitted that the suit claim is barred by limitation.

With regard to the aforesaid contentions of learned counsel, this Court is of the view that findings on such aspects can be recorded at the time of disposal of the suit. But the fact remains that ad-interim injunction was granted on 30.05.2013 and such orders are continued all along. As it is stated that the suit schedule properties are vacant residential sites, we deem it appropriate to dispose of these appeals with a direction to the parties to maintain *status quo* with regard to possession in all respects and a further direction to the learned II-Additional District Judge, Ranga Reddy District, to dispose of the suit in O.S.No.642 of 2013, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

With the above directions, these appeals are disposed of. No order as to costs.

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

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**JUSTICE R. SUBHASH REDDY**

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**JUSTICE A.SHANKAR NARAYANA**

04.12.2015

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