

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

C.R.P.No.5466 OF 2015

ORDER:-

This Civil Revision Petition is filed under Section 22 of the A.P. Buildings (Lease, Rent and Eviction) Control Act, 1960 seeking a direction to the I Additional Rent Controller, City Small Causes Court, Hyderabad to dispose of E.A.No.36 of 2012 in E.P.No.28 of 2012 in R.C.No.462 of 2007 expeditiously.

2. Case of the petitioner is that he filed R.C.No.462 of 2007 on the file of the I Additional Rent Controller, City Small Causes Court, Hyderabad against respondent No.2, who is his tenant, for eviction and the same was allowed on 30.7.2010. Aggrieved thereby, respondent No.2 has preferred an appeal on the file of the I Additional Chief Judge, City Small Causes Court, Hyderabad vide R.A.No.266 of 2010 and the same was dismissed vide order dated 16.12.2011. Against the said order, respondent No.2 has filed C.R.P.No.761 of 2012 before this Court and the same was disposed of on 17.2.2012 permitting respondent No.2 to remain in possession for a period of four months from that day subject to certain conditions mentioned therein. As respondent No.2 has failed to comply with the order of this Court and has not vacated the premises in question, the petitioner has filed Contempt Case No.1776 of 2012 and the same was allowed on 18.2.2013. The petitioner has filed E.P.No.28 of 2012 before the I Additional Rent Controller, Hyderabad and it is his case that respondent No.2 has instigated respondent No.1 to file a claim petition in the said E.P. vide E.A.No.36 of 2012 and respondent No.2, by colluding with respondent No.1, took several adjournments and dragging on the matter since 2013. Hence, the petitioner has filed this Revision Petition for a direction to the I Additional Rent Controller to dispose of E.A.No.36 of 2012 as expeditiously as possible.

3. Heard.

4. The only grievance of the petitioner in this Revision Petition is that the Court below is not disposing of E.A.No.36 of 2012. The order of eviction was passed as early as on 30.7.2010 and the same was confirmed by the first appellate Court as well as by this Court. Hence, there appears no reason for keeping the claim petition pending for such a long period.

5. Therefore, the Civil Revision Petition is disposed of directing the I Additional Rent Controller, City Small Causes Court, Hyderabad to dispose of E.A.No.36 of 2012 in E.P.No.28 of 2012 in R.C.No.462 of 2007 as expeditiously as possible, preferably, within a period of two (2) months from today. There shall be no order as to costs.

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

JUSTICE R.SUBHASH REDDY

Date: 18.12.2015
AMD

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Dated: 18.12.2015

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