

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION No.4851 of 2014

ORDER:

This revision is filed against the order dated 03.12.2014 in I.A.No.218 of 2014 in O.S.No.314 of 2011 on the file of XII Additional District Judge-cum-Judge, Family court, Guntur,

2. Brief facts leading to this revision petition are as follows:

Revision petitioners herein are plaintiffs in the above suit O.S.No.314 of 2011 and an ex parte decree is passed against respondents herein and respondents herein filed petition to set aside ex parte decree with delay condonation petition and the same is numbered as I.A.No.218 of 2014 and petition to set aside ex parte decree is numbered as I.A.No.219 of 2014 and the Court below allowed both the applications by order dated 03.12.2014. Aggrieved by the same, plaintiffs preferred the present revision.

3. As seen from the proceeding sheet, this C.R.P is filed on 04.12.2014 and it is listed before this Court on 19.12.2014, but it was admitted on 06.02.2015 and interim stay was also granted on the same day i.e., on 06.02.2015.

4. From the material papers filed by the respondents along with vacate stay petition, it appears that revision petitioners herein filed a petition seeking attachment before judgment under Order XXXVIII Rule 5 (a) of CPC on 29.12.2014 before the trial Court and in that petition a consent order is passed on 05.02.2015, according to which, respondents herein agreed to furnish a Bank guarantee of Rs.40 lakhs on or before 27.02.2015, as per Joint Memo and the Court recorded the joint memo filed by both parties and passed the said order on 05.02.2015.

5. Heard both sides. Both advocates reiterated respective contentions of their clients.

6. In view of the joint memo filed by both parties before the trial Court, and also in view of the consent order dated 05.02.2015, I feel without going into merits of the case, this revision can be disposed of directing the trial Court to decide suits O.S.No.314 of 2011 and O.S.No.330 of 2011 within six (06) months from the date of receipt of this order. Both parties shall cooperate with the Court below in deciding the suits within the time fixed.

7. With above direction, this Civil Revision Petition is disposed of. No costs. Miscellaneous petitions, if any pending, in this revision petition shall stand closed.

S. RAVI KUMAR, J

Date: 24-02-2015

Note : C.C. two days.

B/o

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