

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

CIVIL REVISION PETITION No.2582 OF 2015

ORDER:

This Revision is filed under Article 227 of the Constitution of India challenging the order dated 25.08.2014 in I.A.No.687 of 2014 in I.A.No.579 of 2014 in O.S.No.288 of 2014 of the I Additional Senior Civil Judge, Warangal, granting Police Aid to the respondent against the petitioner herein so that *a d* interim injunction granted on 01.05.2014 by the said Court in I.A.No.579 of 2014 would be implemented.

Learned counsel for the petitioner contends that even though counter affidavit had been filed by the petitioner in I.A.No.579 of 2014 as long back as on 23.12.2014, the Court below has not taken up the said petition for disposal and instead erred in granting Police Aid to the petitioner.

Admittedly, *ad* interim injunction was granted in I.A.No.579 of 2014 as long back as on 01.05.2014 but the petitioner had not chosen to file his counter till December, 2014 and in the meantime Police Aid was granted to the respondent on 25.08.2014 in I.A.No.687 of 2014 which has also been in force almost for a year. Therefore at this juncture it is not possible for this Court to interfere with the said order. However, the Court below is directed to take note of Order XXXIX Rule 3A C.P.C. and dispose of I.A.No.579 of 2014 within a period of four weeks from the date of receipt of a copy of this order without fail. The order in I.A.No.687 of 2014 shall be subject to the order which the trial Court may pass finally in I.A.No.579 of 2014.

The Civil Revision Petition is accordingly disposed of. There shall be no order as to costs.

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

M.S. RAMACHANDRA RAO, J

07.07.2015

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