

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.545 OF 2015

ORDER:

This Civil Revision Petition is filed aggrieved by the docket order, dated 06.02.2015, passed in E.P.No.13 of 2015 in R.C.C.No.1 of 2011 by the learned Principal Junior Civil Judge, Machilipatnam.

Respondent filed R.C.C.No.1 of 2011 on the file of learned Principal Junior Civil Judge, Machilipatnam, for eviction of petitioner from the petition schedule property. The learned Judge, by order, dated 20.03.2012, directed the petitioner to vacate the petition schedule property and handover possession to the respondent. Aggrieved by the same, petitioner has preferred C.M.A.No.1 of 2012 before the learned Senior Civil Judge, Machilipatnam. When the appeal came up for hearing, the impugned order was passed to execute the decree in R.C.C.No.1 of 2011.

Heard the learned counsel for petitioner and the learned counsel for respondent – caveator.

The eviction order was passed as early as on 20.03.2012 and as against the same, C.M.A.No.1 of 2012 was filed. As the C.M.A. is of the year 2012, this Court is of the view that it is a fit case to permit the petitioner to continue in possession till the disposal of appeal by the

first appellate Court.

For the aforesaid reasons, the revision petition is disposed of with a direction to the learned Senior Civil Judge, Machilipatnam, to dispose of C.M.A.No.1 of 2012 as expeditiously as possible, preferably within a period of two (2) months from today. It is further directed that the order of eviction shall stand stayed till the disposal of C.M.A.No.1 of 2012.

Miscellaneous Petitions, if any, pending in this revision petition shall stand closed. No costs.

R.SUBHASH

REDDY, J

February 13, 2015
MD