

HON'BLE SRI JUSTICE S.V. BHATT
CIVIL REVISION PETITION No.2356 OF 2015

ORDER:

The authorised representative of the revision petitioner, namely, Sri C.Dhannanjay Trivedi is present in the Court. Heard the representative and perused the material available on record. The revision petitioner filed O.P. No.72 of 2015 in the Court of VIII Additional District and Sessions Judge, Gudur for the following relief:

“The petitioner therefore prays that this Hon’ble court may be pleased to pass an order permitting the petitioner to sell the schedule B mentioned property to third parties/intending purchasers in order to raise funds for the purpose of Construction of a Compound wall in the remaining portion and extent of the schedule A mentioned Property that is 5.41 cents, so as to prevent the schedule A mentioned property from being further encroached, for the preservation of the schedule A mentioned property and for the purpose of legal necessity and pass appropriate and other suitable orders as this court deems fit and proper in the circumstances of the case and thus render justice.”

The trial Court directed public notice etc. in the matter and directed the O.P. to be listed on 17.06.2015. The revision petitioner claims to have complied with all the pre-trial requirements as directed by the learned trial Judge and expected the trial Court to consider the other prayers in O.P. No.72 of 2015. The case of revision petitioner is that the learned trial Judge on 17.06.2015 has made the following docket order and adjourned the matter to 20th July,2015.

“Gen. Notice proclaimed and affixed on 28.04.2015. Sri Challa Kannaiah present and he stated that he has objections. He request time to engage advocate. At request call on 20.07.2015.”

Aggrieved by the docket order dated 17.06.2015, the present revision petition is filed. The representative of revision petitioner tried to persuade this Court on the immediate necessity and urgency in the matter

to pass appropriate orders in O.P. No.72 of 2015. I have perused the material available on record. In the considered view of this Court, the grievance of revision petitioner is against the delay or consideration of unauthorised objections of one Challa Kannaiah and granting adjournment in the O.P. by the trial Court. The petitioner is stated to be aged 89 years old. Having regard to the age of the revision petitioner, the request of revision petitioner for expeditious disposal, in the view of this Court, is a fair request and ought to be accordingly considered. The C.R.P. is disposed of by directing learned VII Additional District and Sessions Judge, Gudur to dispose of O.P. No.72 of 2015 as expeditiously as possible preferably within a period of four months from the date of receipt of a copy of this order. It is made clear that this Court while issuing the above direction to the learned trial Judge is not expressing view on any of the prayers pending before the trial Court.

C.R.P. is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in the C.R.P. shall stand closed.

S.V.BHATT,

J

Date:26.06.2015

Stp