

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

CIVIL REVISION PETITION NO.2780 of 2016

ORDER:

Aggrieved by the prolongation of the enquiry into an application for appointment of an Advocate Commissioner by the trial Court, the petitioners/plaintiffs have come up with the above revision.

The petitioners have filed a suit in O.S.No.336 of 2015 on the file of the II Additional District Court, Vijayawada for recovery of a sum of Rs.37,40,800/-, allegedly due from the respondents towards rent/damages and for various other reliefs.

It appears that the respondent vacated the premises and deposited the key into the Court of XII Additional District Judge in a suit in O.S.No.421 of 2014. The petitioners are afraid of taking keys and opening the premises, since the question of damages will become a question of serious dispute. Therefore, the petitioners filed an application in I.A.No.655 of 2015 before the trial Court for appointment of Commissioner to take the keys, open the premises, note down the condition of the building and to file a report. This application is pending for the past one year. The property is now getting wasted.

In view of the above, the Civil Revision Petition is disposed of directing the trial Court to take up the application for appointment of Commissioner on the next date fixed for hearing or on any subsequent date within a short duration and dispose it of in accordance with law, within a period not later than two months.

JUSTICE V. RAMASUBRAMANIAN

17th June, 2016

Js.

Note: C.C. in 3 days.