

THE HON'BLE SRI JUSTICE S.RAVI KUMAR

CIVIL MISCELLANEOUS APPEAL No.775 of 2009

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JUDGMENT:

This appeal is preferred against order dated 01.05.2009 in I.A.No.878 of 2009 in O.S.No.50 of 2009 on the file of I Additional Chief Judge, City Civil Court, Secunderabad. Appellant herein is plaintiff. Suit was filed for permanent injunction and in that suit I.A No.878 of 2009 was filed for temporary injunction. The trial Court, on a consideration of contentions and rival contentions of both parties dismissed the interim application. Questioning the same, present appeal is preferred.

2. Heard both sides.

3. Advocate for respondents submitted that the suit is of the year 2009 and all through there was no interim injunction and instead of deciding this appeal, trial Court may be directed to dispose of the suit by fixing some time, for which Advocate for the appellant has consented.

4. Considering the submission of both sides and also considering the fact that there was no interim injunction all through from the year 2009, therefore, instead of deciding this appeal, it would be just and proper to direct the Court below to take up trial of the suit and dispose of the same in accordance with law.

5. For these reasons, trial Court is directed to dispose of the suit, as expeditiously as possible, preferably within a period of six (06) months from the date of receipt of a copy of this order. There shall be no order as to costs. Appeal is disposed of accordingly. Miscellaneous petitions, if any, pending in this appeal shall stand closed.

S. RAVI KUMAR, J

JULY 04, 2016

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Date: 04.07.2016

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