

HONOURABLE SRI JUSTICE P. NAVEEN RAO

CIVIL REVISION PETITION No. 5414 OF 2016

Date : 1.12. 2016

Between :

Mohd Arif S/o late Abdul Waheed

R/o H NO. 13-1-75/1 Khasimdula street, Matwada, WArangal

Petitioner

And

Syeda Shameem Sultana W/o Mohd Abdul Majeed

R/o H No. 13-1-75, Khasimudula street, Matwada, Warangal and others

Respondents

The Court made the following:



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ORAL ORDER:

Revision petitioner is defendant No.4 in the suit. Facts which are not in dispute are:

Injunction was granted in favour of the plaintiff in I.A. No. 1662 of 2015 on 14.9.2015. Alleging that in spite of grant of injunction, respondents are interfering with peaceful possession and enjoyment and seeking police protection plaintiff filed I A No.267 of 2016. After elaborate consideration of the rival claims, trial Court by order dated 13.10.2016 granted police protection as prayed for.

Heard the learned counsel for petitioner. In spite of service of notice, none appeared for respondents.

Learned counsel for petitioner submitted that the Court below is postponing the hearing of I A 1662 of 2015 and without considering I A No.1662 of 2015 on merits, based on ex-parte order, the Court below ought not to have granted police protection in I A 267 of 2016. Learned counsel for petitioner submits that under the guise of the injunction order and the order of police protection, the police may dispossess him which would cause great and irreparable loss.

It is contended that though it was specifically pleaded for disposal of Interlocutory Application and though all the aspects and contentions were considered, the prayer of the petitioner for early consideration of I A No. 1662 of 2015 is not taken up. Having regard to the submissions made by the learned counsel for petitioner, the Court below is directed to expedite the hearing of I A No.1662 of 2015 and pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of six weeks from the date of

receipt of copy of this order. Till such time, the orders passed in I.A. No. 267 of 2016 are stayed.

Accordingly, revision petition is disposed of. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 1.12.2016
TVK



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