

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY
CIVIL REVISION PETITION NO.4684 OF 2016

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India seeking a direction to the trial Court to dispose of I.A.No.196 of 2012 in O.S.No.138 of 2012.

2. Heard the learned counsel for the petitioners.

3. Respondents 1 and 2 herein (plaintiffs) filed O.S.No.138 of 2012 on the file of the Court of the Sub-Divisional Magistrate (Mobile Court) at Bhadrachalam for eviction and consequential perpetual injunction. A perusal of the record reveals that during the pendency of the suit, the petitioners herein filed I.A.No.196 of 2012 in O.S.No.138 of 2012 under Section 11 (2) of A.P.C.F. & S.V. Act and Order 7 Rule 11 (b) of CPC r/w 42 (c) of Agency Rules to decide the jurisdictional fact as preliminary issue before going into the trial of the suit. For one reason or the other, the trial Court has not disposed of the said ~~inter~~locutory application.

4. At the time of arguments, the only relief sought for by the learned counsel for the petitioners is to direct the trial Court to dispose of I.A.No.196 of 2012 in O.S.No.138 of 2012.

5. In view of submission made by the learned counsel for the petitioners, this Court is not inclined to go into the merits of the main case.

6. Having regard to the facts and circumstances of the case and also submission made by the learned counsel for the petitioners, the trial Court is directed to dispose of I.A.No.196 of 2012 in O.S.No.138 of 2012 on its file as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order.

7. With the above direction, the Civil Revision Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any, pending in this revision petition shall stand closed.

T.SUNIL CHOWDARY, J

DATED: 14-10-2016

Hsd

