

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

CMA.No.64 of 2016

JUDGMENT :

This CMA is filed against the order and decree dated 30.12.2015, passed in IA.No.656 of 2015 in OS.No.44 of 2015 by the XVI Additional District and Sessions Judge, Nandigama, wherein the Court below granted temporary injunction restraining the respondents from selling the crops which are yielding out of the schedule property in favour of M/s.Built Tree Tech Corporation, Ballarasha, Chandrapur District of Maharashtra State, until further orders.

Learned counsel for the appellant/respondent No.2 submits that even before granting injunction, the crop yield out of the schedule property was sold and as such injunction petition becomes itself infructuous and that the order passed by the Court below is erroneous.

It is to be seen that if the crop sold is before granting of injunction, that itself cannot be a ground to set aside the order of injunction. If any petition is filed for violation of injunction order the petitioner takes such a plea in the said petition. Except that no other ground is raised by the appellant. In view of the same, I do not see any infirmity in the order dated 30.12.2015, passed by the Court below in IA.No.656 of 2015 in OS.No.44 of 2015.

Accordingly, the CMA is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending

in the CMA, shall stand closed.

A.RAJASHEKER REDDY, J

10.02.2016

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