

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL MISCELLANEOUS APPEAL No.1137 of 2012

JUDGMENT:

This appeal is preferred questioning order dated 04.06.2012 in I.A.No.290 of 2012 in O.S.No.2311 of 2011 on the file of

V Additional Senior Civil Judge, City Civil Court, Hyderabad.

2. Appellant herein is defendant No.6, who filed I.A.No.290 of 2012 seeking injunction to restrain respondent No.2 from handing over possession to respondent Nos.9 and 10 pending disposal of suit and that application was dismissed. Aggrieved by which, present appeal is preferred.

3. From the submissions of both sides, it appears that the property was sold to proposed defendant Nos.9 and 10 by defendant No.2 and the relief claimed is, not to hand over possession of the property. Admittedly, as there was no injunction and stay, property is already handed over and the relief claimed in the application has virtually become infructuous.

4. Considering these aspects, instead of going into the merits and demerits of the case, I am of the view that appeal can be disposed of directing the trial Court to expedite the trial and dispose of the suit within time frame by observing the alienations made shall be subject to

result of the suit.

5. With the above observations, appeal is disposed of and the trial Court shall proceed with the trial and dispose of it as expeditiously as possible, preferably within six months from the date of receipt of the order.

6. Miscellaneous petitions pending, if any, shall stand closed. No costs.

S. RAVI KUMAR, J

20th July 2016.

mar