

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No. 4206 of 2016

ORDER:

1) The present Civil Revision Petition is filed challenging the order dated 20.07.2016 passed in C.M.A.No.1 of 2015 on the file of the XI Additional District Judge, Piler, wherein the appellate Court while considering the order dated 05.10.2015 passed in I.A.No.463 of 2015 in O.S.No.99 of 2015 on the file of the Principal Junior Civil Judge, Piler, remanded the matter back for fresh consideration in view of the additional evidence.

2) The facts are that the respondent herein filed O.S.No.99 of 2015 seeking permanent injunction restraining the petitioner and his men from entering into the suit schedule land and also from interfering with his possession and enjoyment over the suit schedule land. Along with the suit the respondent also filed I.A.No.403 of 2015 seeking ad-interim temporary injunction. After considering the evidence available on record, the trial Court dismissed the said I.A. Aggrieved by the same, the respondent herein filed C.M.A.No.1 of 2015 on the file of the XI Additional District Judge, Piler, wherein the learned Appellate Court remanded the matter back for fresh consideration in view of additional evidence. Challenging the same the present Civil Revision Petition is filed.

3) Though various grounds are raised in this Civil Revision Petition, learned counsel for the petitioner restricts his prayer

seeking a direction to the trial Court to dispose of I.A.No.463 of 2015 at the earliest.

4) Without going into the merits of the case and having regard to the submission made, the present Civil Revision Petition is disposed, directing the Principal Junior Civil Judge, Piler to dispose of I.A.No.463 of 2015 as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of the order. There shall be no order as to costs.

5) Consequently, miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

17.09.2016
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JUSTICE C. PRAVEEN KUMAR

