

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

C.R.P.No.2119 of 2016

ORDER:

In the present revision, filed under Article 227 of the Constitution of India, the grievance of the petitioner is non-disposal of I.A.No.246/2015 in O.S.No.176/1970, on the file of the Court of the Senior Civil Judge, Parchur, Prakasam District.

2. Heard Sri M.Ravindranath Reddy, learned counsel for the petitioner.

3. O.S.No.176/1970 was filed for partition and the said suit was dismissed on 11.07.1980 and as against the said dismissal, plaintiff preferred A.S.No.817/1981 before this Court, and this Court, by way of Judgment dated 15.04.1998, dismissed the said appeal suit. Against the said judgment rendered by the learned Single Judge of this Court, petitioner herein filed L.P.A.No.181/1999. This Court, on 02.12.2013, allowed the said L.P.A., thereby decreed O.S.No.176/1970. Thereupon, the petitioner herein filed I.A.No.246/2015 before the Court of the learned Senior Civil Judge, Parchur, praying the Court to pass final decree in terms of preliminary decree passed as per the decree in L.P.A.No.181/1999. The grievance of the petitioner in the present revision is the non-disposal of I.A.No.246/2015.

4. It is submitted by the learned counsel for the petitioner herein that by December, 2015 all the respondents were served and they were set *ex parte* except respondents 15, 17, 18, 20, 26, 32 and 46 who were represented by the counsel. It is the further submission of the learned counsel that it is a matter of 45 years old and neither the father of the petitioner nor the petitioner has been able to enjoy the fruits of the decree so far. It is also the further submission of the learned counsel that the petitioner herein has already attained 60 years and is a serious diabetic patient and suffering from Parkinson and is taking treatment for the same.

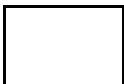
5. In the above background and for the reasons mentioned *supra*, this Court is of the considered opinion that the ends of justice would be served if the learned Senior Civil Judge, Parchur, Prakasam District, is requested to dispose of I.A.246/2015 as expeditiously as possible by fixing some time frame.

6. For the aforesaid reasons, the revision is disposed of, directing the Court of the Senior Civil Judge, Parchur, Prakasam District to pass orders in I.A.No.246/2015 in O.S.No.176/1970, in accordance with law, as expeditiously as possible, preferably within a period of six months from the date of receipt of this order. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date:21.04.2016

grk



THE HON'BLE SRI JUSTICE A.V.SESHA SAI

C.R.P.No.2119 of 2016

Dated: 21st April, 2016

grk