

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION No.2990 of 2016

ORDER:

Aggrieved by the Order dt. 30.04.2016 in I.A.No.17/2016 in CMA No.19 of 2016 on the file of Additional Agent to Government Bhadrachalam, the petitioners/respondents/Occupants(NT) filed the instant Civil Revision Petition.

2. C.M.A.No.19 of 2016 has been filed by the petitioners aggrieved by the Order dt.28.12.2015 in LTR case No.8/2015/SNG, whereunder eviction was ordered against the present petitioners from the schedule property covered under Sy.No.400/1 in an extent of Ac.2.00 gts in Viswanadhapalli Village by the learned Agency Divisional Officer, Kothagudem,. The aforesaid CMA No.19 of 2016 is pending and in the said CMA, it appears, the petitioners filed I.A.No.17 of 2016 seeking Stay pending C.M.A. However, by virtue of the impugned Order dt. 30.04.2016, the trial Court dismissed I.A.No.17 of 2016 holding that no sufficient grounds were shown by the petitioners for granting stay.

Hence, the instant Civil Revision Petition.

3. Though notice is served on respondents, there is no appearance on their behalf.

4. Heard learned counsel for petitioners.

5. The grievance of the learned counsel for petitioners is that pending CMA, if the petitioners are evicted from the land, they will be put to hardship and it may lead to multiplicity of proceedings and therefore, pending CMA, interim stay may be granted in favour of the petitioners.

6. This Court finds force in the above said submission of learned counsel for petitioners. Accordingly, this Civil Revision Petition is allowed and the

impugned Order Dt. 30.04.2016 in I.A.No.17 of 2016 in C.M.A.No.19 of 2016 is set aside and the learned Additional Agent to Government, Bhadrachalam, is directed to dispose of the CMA No.19 of 2016 expeditiously within two months from the date of receipt of a copy of this Order and until the disposal of the CMA, stay of the Order dt.28.12.2015 in LTR Case No.8/2015/SNG of Agency Divisional Officer, Kothagudem, is granted. No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J

Dt: 15.07.2016

Note: Issue C.C today.

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