

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION NO.4901 OF 2015

ORDER:

This Civil Revision Petition is filed against the order, dated 20-08-2015 in I.A.No.444 of 2015 in C.M.A.No.1 of 2015 on the file of the V Additiional District Judge, Kothagudem.

2. Petitioner herein is the plaintiff, whereas the respondent herein is the defendant in O.S.No.94 of 2015 on the file of the Principal Senior Judge, Kothagudem.

3. Petitioner herein-plaintiff filed the above suit for perpetual injunction in respect of an extent of Ac.3.38 guntas out of total extent of Ac.4.17 guntas in survey No.455/23/3 situated at Laxmipuram village, Burgampad Mandal, Khammam District. Petitioner herein also filed I.A.No.322 of 2015 under order XXXIX Rules 1 and 2 CPC seeking temporary injunction.

4. The learned Principal Senior Civil Judge after considering the material on record, vide order, dated 16-07-2015 allowed the application. Challenging the said order, the respondent herein-defendant filed C.M.A.No.1 of 2015 on the file of the V Addl District Judge, Kothagudem. He also filed I.A.No.444 of 2015 under Order XLI Rule 5 (1) CPC seeking stay of the order, dated 16-07-2015 passed by the learned Principal Senior Civil Judge, Kothagudem, in I.A.No.322 of 2015 in O.S.No.94 of 2015, pending disposal of the C.M.A. and the said I.A. was allowed on 20-08-2015. Hence, this revision.

5. At the time of admission, this Court while admitting the revision, granted interim suspension for a period of three weeks and the said order is in operation till today. The present revision is filed against the interlocutory order pending C.M.A.No.1 of 2015. Since the main C.M.A. itself is pending consideration before the lower appellate Court, the learned V Additional District Judge, Kothagudem before whom the C.M.A.No.1 of 2015 is pending, is directed to dispose of the same as expeditiously as possible not later than 29-02-2016. Since the parties are represented by their counsel, they shall co-operate with the learned Additional District Judge for disposal of the C.M.A. The interim order

granted by this Court on 13-11-2015 shall continue till disposal of the C.M.A.

6. Accordingly, the Civil Revision Petition is disposed of. No order as to costs. Miscellaneous petitions, if any pending in this revision shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 04-01-2016

Hsd