

HONOURABLE SRI JUSTICE S.RAVI KUMAR
CMA.No.162 OF 2010

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ORDER:

This CMA is preferred against the order dated 27th October, 2009 in I.A.No.1345 of 2009 in O.S.No.127 of 2009 on the file of Senior Civil Judge, Parchur.

Respondent herein filed the above referred suit for specific performance of contract of sale and for consequential permanent injunction. Appellant herein filed O.S.No.136 of 2001 on the file of Principal Junior Civil Judge, Chirala and when the same was decreed, he filed E.P.No.217 of 2008. Respondent herein filed I.A.No.1345 of 2009 in O.S.No.127 of 2009 seeking temporary injunction restraining the appellant and her men from interfering with possession and enjoyment of plaint schedule property, pending disposal of the suit and trial Court granted temporary injunction through impugned order dated 27th October, 2009. Questioning the same, present appeal is preferred.

As seen from the office note, the main suit O.S.No.127 of 2009 was disposed of on 27.01.2015 dismissing the suit and in view of dismissal of the main suit, nothing survives in this appeal.

Advocate for appellant submits that in case of restoration of suit and I.A., appellant may be given liberty to challenge the same.

Considering the submission of the advocate for appellant, the appeal is dismissed as infructuous giving

liberty as requested. There shall be no order as to costs.

As a sequel miscellaneous petitions, if any, pending
in this appeal shall stand dismissed.

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JUSTICE S.RAVI KUMAR

Dated: 16-06-2016.
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