

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION NO.2335 OF 2016

ORDER:

Heard Sri Sreenivasa Rao Ravulapati, learned counsel for the petitioners/defendant Nos. 1 to 3 and Sri M.M.M.Srinivasa Rao, learned counsel for the 1st respondent/plaintiff and with the consent of both counsel, this Civil Revision Petition is disposed of at the stage of admission.

2. The petitioners/defendant Nos. 1 to 3 filed the instant civil revision petition aggrieved by the order, dated 12-04-2016 in I.A.No.136 of 2016 in I.A.No.135 of 2016 in O.S.No.124 of 2016 on the file of the Sub-Divisional Magistrate & Special Assistant Agent to Government, Mobile Court, Bhadrachalam, whereunder the trial Court granted *ex parte* police aid to the 1st respondent/plaintiff pursuant to the order, dated 12-04-2016 in I.A.No.135 of 2016 in O.S.No.124 of 2016.

3. The submission of the learned counsel for the petitioners/defendant Nos. 1 to 3 is that the trial Court granted *ex parte* injunction as well as police aid on the same day i.e., on 12-04-2016 without giving an opportunity to the petitioners to submit their case and in view of granting police aid, they were put to hardship. He further submitted that petitioners/defendants 1 to 3 already filed counter in I.A.No.135 of 2016 and hence, a direction may be issued to the trial Court to hear I.A.No.135 of 2016 and pass orders on merits.

4. Learned counsel for the 1st respondent/plaintiff reported no objection.

5. In the light of the respective submissions, this Civil Revision Petition is allowed and the order, dated 12-04-2016 in I.A.No.136 of 2016 is set aside. However, the trial Court is directed to hear I.A.No.135 of 2016 in O.S.No.124 of 2016 and pass appropriate orders on merits within a period of two months from the date of receipt of a copy of this order. Both parties shall co-operate with the trial Court for disposal of I.A.No.135 of 2016. No order as to costs. Miscellaneous petitions, if any pending, in this civil revision petition shall stand closed.

DATED: 22-07-2016.
Hsd

U.DURGA PRASAD RAO, J