

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.5504 OF 2016

ORDER:

1 This Civil Revision Petition, under Section Article 227 of the Constitution of India, challenging the order dated 14.09.2016 passed in I.A.No.428 of 2016 in O.S.No.398 of 2016 by the Sub-Divisional Magistrate & Special Assistant Agent to Government-Mobile Court-Bhadrachalam.

2 Heard the learned counsel for the petitioner.

3 A perusal of the record reveals that the respondent herein filed O.S.No.398 of 2016 before the trial Court seeking perpetual injunction against the petitioner herein. Along with the suit, the respondent filed I.A.No.428 of 2016 and obtained an *ex parte* order of injunction. Challenging the same, the petitioner filed the present Civil Revision Petition.

4 If the petitioner is aggrieved by the order of *ex parte* injunction, the remedy available to him is to file a counter before the trial Court by placing necessary material.

5 When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the trial Court may be directed to dispose of the I.A within a stipulated time.

6 In view of the submissions made by the learned counsel for the petitioner the trial Court is hereby directed to dispose of I.A.No.428 of 2016 in O.S.No.398 of 2016 within a period of two months from the date of receipt of a copy of this order, after affording a reasonable opportunity to both parties and in accordance with law.

7 The Civil Revision Petition is accordingly disposed of. No order as to costs. As a sequel, the miscellaneous petitions, pending in this Civil Revision Petition, if any, shall stand closed.

T. SUNIL CHOWDARY, J

Date: 29th November, 2016
Kvsn

