

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION No.4086 of 2015

ORDER:

This revision is preferred questioning order dated 04.09.2015 passed in CMA No.16 of 2014 on the file of the Special Judge for trial of cases under SCs & STs (POA) Act – cum – Additional District & Sessions Judge, Vizianagaram.

2. Revision petitioners herein are plaintiffs in the suit O.S.No.300 of 2014 on the file of the Senior Civil Judge, Vizianagaram. In the suit, respondents filed I.A.No.473 of 2014 for temporary injunction restraining the respondent/Market Committee from interfering with plaintiffs' usage of road situated on the eastern side of plaint schedule property, pending disposal of the suit. Trial Court, on a consideration of material on record, granted temporary injunction in favour of plaintiffs' restraining the Market Committee, its men and agents from ever interfering with usage of road situated on the eastern side of plaint schedule property, pending disposal of the suit. Aggrieved by the said order, Market Committee preferred appeal to the District Court and Special Judge for trial of cases under SCs & STs (POA) Act – cum – Additional District & Sessions Judge, Vizianagaram, on a re-appraisal of material, allowed the appeal and vacated the injunction order granted in I.A.No.473 of 2014 in O.S.No.300 of 2014. Aggrieved by the said orders of the Special Judge for trial of cases under SCs & STs (POA) Act – cum – Additional District & Sessions Judge, Vizianagaram, present revision is preferred.

3. Heard the arguments.

4. Advocate for revision petitioners submitted that as the matter requires thorough enquiry and the issues involved in the suit can only be decided on appreciation of evidence, which cannot be dealt at interim stage, he requested that the revision may be disposed of directing the

trial Court to decide the main suit within some timeframe.

5. Considering the submissions of advocate for revision petitioners, this revision is disposed of directing the trial Court, i.e., the Senior Civil Judge, Parvathipuram, Vizianagaram District, to dispose of O.S.No.300 of 2014 as expeditiously as possible, preferable within six (06) months from the date of receipt of copy of this order, without being influenced by any of the findings or observations made in the interlocutory order.

6. The Civil Revision Petition is disposed of accordingly. Miscellaneous petitions, if any, pending in this revision shall stand dismissed.

S. RAVI KUMAR, J

25th July, 2016
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