

HON' BLE Dr. JUSTICE B. SIVA SANKARA RAO

C.R.P. No.1094 of 2016

ORDER :

Heard both sides.

2) The appeal is undisputedly pending as A.S. No.2 of 2015 on the file of Senior Civil Judge, Punganur against the decree and judgment dated 23.08.2010 in O.S. No.222 of 2010 on the file of the Principal Junior Civil Judge, Punganur. It is while so, the execution petition is filed pursuant to the impugned permanent injunction decree invoking Order XXI Rule 32 C.P.C and same is the subject matter of the revision petition. As the appeal disposal be given a quietest to the lis, this Court feels it just to dispose of the very revision by kept in abeyance pending the appeal the arrest warrant issued pursuant to the impugned order of the lower Court dated 26.03.2014 that is confirmed by disposal of the review application in E.A. No.45 of 2014 in the O.E.P.No.27 of 2011 on 02.06.2015 and pursuant to which Batta paid and allowed on 30.12.2015 and with a direction to the learned Senior Civil Judge, Punganur, where the appeal is pending as A.S. No.2 of 2015 to hear and dispose of the appeal on merits within three months from the date of receipt of this order. The executing Court shall

proceed further with the arrest warrant only after the disposal of the appeal from receiving copy from the lower appellate Court.

3) With the above observations, the revision is disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

23.09.2016
ksh

Dr. B. SIVA SANKARA RAO, J

