

THE HON'BLE SRI JUSTICE S.V.BHATT
CIVIL REVISION PETITION No.4623 of 2016

ORDER:

Heard Smt. G. Shoba for petitioner and after considering the limited prayer of the petitioner, notice to sole respondent is dispensed with.

2. On 08.06.2016, O.S.No.50 of 2008 was dismissed for default. Petitioner filed I.A.No.249 of 2016 for setting aside the default order and according to petitioner, the application is filed within time. Due to dismissal of O.S.No.50 of 2008, the respondent herein is taking advantage and creating problems to petitioner mutt. Hence, prays for a direction to dispose of I.A.No.249 of 2016 expeditiously.

3. The reasons stated by the petitioner for expeditious disposal appear to be tenable and are required to be taken note of by this Court. With the dismissal of the suit, the interim order in force does not survive. The grievance of the petitioner is firstly the respondent is taking advantage of the dismissal of the suit on one hand, secondly not filing counter affidavit and delaying the proceedings. Having perused the reasons stated by petitioner, I am satisfied the revision petition can be ordered as under:

The learned trial Judge is directed to consider and dispose of I.A.No.249 of 2016 within one week from the date of receipt of a copy of this order.

The civil revision petition is ordered as indicated above.
As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

September 26, 2016
DSK

S. V. BHATT, J

