

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Civil Revision Petition No.649 of 2016

ORDER:

This revision petition is filed under Article 226 of the Constitution of India by the 2nd defendant expressing grievance for not passing orders, pursuant to the directions of this Court in C.R.P.No.2401 of 2014, dated 11.11.2014.

2. I have heard the submissions of the learned counsel for both the sides.

3. The chronology of events, as submitted by the learned counsel for the petitioner, in brief, are as follows:-

The first respondent herein/plaintiff brought the suit against the 2nd respondent/defendant without impleading the revision petitioner as a party and obtained a temporary injunction against the 2nd respondent herein in respect of Acs.18.85 cents of land at Gundala village of Bhadrachalam mandal which, according to the revision petitioner, is his property and that therefore, the revision petitioner filed an application in I.A.No.166 of 2014 to implead him as a party to the said suit and also a counter in the interlocutory application in I.A.No.100 of 2014 which is filed for temporary injunction, wherein, an *ex parte* injunction was granted in respect of the aforementioned property. When the said implead petition in I.A.No.166 of 2014 was not taken up, the revision petitioner filed CRP No.2401 of 2014 before this Court complaining about the inaction in disposing of the said implead petition. This Court, by orders dated 11.11.2014, while disposing of the said CRP, gave certain directions. Subsequently, the implead petition was allowed. However, the plaintiff had failed to carry out the amendment to the plaint and since June, 2015, the matter is being adjourned for carrying out the amendment to the plaint and for presenting a fresh copy of the plaint and therefore, the application for injunction in I.A.No.100 of 2014 in the aforementioned suit is not being taken up. Feeling aggrieved of the same, this revision petition is filed.

4. Taking into consideration the above chronology of events, this Court had passed an interim order on 08.02.2016 granting interim suspension for a period of six weeks from that day.

5. At the hearing, the learned counsel for the respondent/plaintiff would submit that amendment of the plaint is carried out and a neat copy of the plaint is filed before the Mobile Court, Bhadrachalam; and, that now I.A.no.100 of 2014 in O.S.No.228 of 2014 in the aforementioned suit is ripe for hearing and disposal.

6. The learned counsel for the revision petitioner, therefore, submits that the revision petition may be disposed of giving direction to the dispose of the said interlocutory application as such a course would meet the ends of justice. The said submission is endorsed by the learned counsel for the respondent.

7. Recording the said submission, the Civil Revision Petition is disposed of directing the learned Special Assistant Agent (Mobile Court), Bhadrachalam of Khammam District to dispose of I.A.no.100 of 2014 in O.S.No.228 of 2014, as expeditiously as possible, preferably, within four weeks from the date of receipt of a copy of this order. The interim suspension granted on 08.02.2016 shall be in force for a period of four weeks.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this revision shall stand closed.

M. SEETHARAMA MURTI, J

20th April, 2016

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Note:- Issue CC by 25.04.2016

(B/o)

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