

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL MISCELLANEOUS APPEAL No.339 of 2012

JUDGMENT:

This appeal is preferred against order dated 13.04.2012 in I.A.No.488 of 2012 in O.S.No.66 of 2002 on the file of Senior Civil Judge, Tanuku.

2. Appellant herein is defendant No.1 in the above referred suit and I.A.No.488 of 2012 is filed by plaintiff for appointment of Advocate Receiver and trial Court on a consideration of contentions and rival contentions of both parties, allowed the application and appointed Sri G.Veerreddy, Advocate, as Receiver to take possession of the standing crop in 'C' schedule property with a further direction to conduct open auction, from then onwards deposit the sale proceeds into the Court.

3. Heard advocate for appellant and advocate for Receiver.

4. From the submissions, it appears that in pursuance of orders of the Court below, Receiver has already taken possession of the property and depositing the sale proceeds regularly into the Court. As seen from the record, the suit is originally filed in the year 1996, but subsequently it was re-numbered as O.S.No.66 of 2002. Considering this, instead of deciding this at interlocutory stage, I deem it appropriate to direct the trial Court to decide the suit within a time frame so that the rights of

parties can be decided on merits.

5. For these reasons, appeal is disposed of directing the trial Court to dispose of O.S.No.66 of 2002 as expeditiously as possible, preferably within a period of six months from the date of receipt of this order and till then the interim order passed by the trial Court shall continue.

6. Miscellaneous petitions pending, if any, shall stand closed. No costs.

S. RAVI KUMAR, J

10th August 2016.

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