

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.6293 OF 2016

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India challenging the order dated 10.10.2016 passed in I.A.No.488 of 2016 in O.S.No.446 of 2016 on the file of the Sub-Divisional Magistrate, Mobile Court at Bhadrachalam.

2. A perusal of the record reveals that the respondent herein filed O.S.No.446 of 2016 on the file of the Sub-Divisional Magistrate, Mobile Court at Bhadrachalam against the petitioners herein for perpetual injunction. Along with the suit, the respondent filed I.A.No.488 of 2016 seeking ad-interim injunction. On 10.10.2016 the Mobile Court granted ad-interim injunction in favour of the respondent herein.

3. Learned counsel for the petitioners submitted that the petitioners herein, who are the respondents in I.A.No.488 of 2016 in O.S.No.446 of 2016, have filed a counter before the Mobile Court.

4. The impugned order is only an *ex-parte* order. A perusal of the record reveals that the litigation is pending between the parties from 2011 onwards and number of suits are also pending between the parties. In such circumstances, if this Court expresses any opinion, the same may cause prejudice to one of the parties to the proceedings.

5. Having regard to the facts and circumstances of the case, the learned Sub-Divisional Magistrate, Mobile Court at Bhadrachalam,

is hereby directed to dispose of I.A.No.488 of 2016 in O.S.No.446 of 2016, as expeditiously as possible, preferably within a period of one (1) month from the date of receipt of a copy of this order.

6. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

7. Consequently, Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 06.02.2017

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