

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NO.733 OF 2016

ORDER:

This petition is filed challenging the docket order, dated 05.02.2016 in I.A.No.131 of 2016 in A.S.No.4 of 2016 of the Principal District Judge, Rajahmundry.

The said I.A. was filed for grant of stay of eviction of the petitioner, but the Court did not decide the application and posted the matter to 08.02.2016 and it is not known whether the matter is adjourned subsequent to 08.02.2016 or passed any order. Therefore, the inaction of the appellate Court is challenged before this Court while facing threat of eviction by the respondent.

When the petition is filed under Order 41 Rule 5 read with Section 151 of CPC, it is for the Court to pass an immediate order, more particularly, when the petitioner is under threat of eviction under Andhra Pradesh Public Premises (Eviction of Unauthorised Occupants) Act, 1968.

In the present set of circumstances and in view of the urgency expressed by the petitioner, I feel it is a fit case to direct the Principal District Judge, Rajahmundry to decide the appeal itself within two months from the date of receipt of a copy of this order. Till then, interim stay is granted and in the event, if the petitioner failed to co-operate with the Court to decide the appeal within two months, the interim order shall stand vacated automatically.

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

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

M. SATYANARAYANA MURTHY, J

JUNE 22, 2017

ssp

