

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NO.6442 OF 2016

ORDER:

This Civil Revision Petition is filed by the petitioner/plaintiff under Article 227 of the Constitution of India challenging the judgment, dated 15-12-2016 in C.M.A.No.69 of 2016 passed by the Chairman, LRAT-cum-II Addl. District Judge, Warangal, whereunder and whereby the order, dated 21-10-2016 passed in I.A.No.627 of 2015 in O.S.No.469 of 2015 by the II Addl. Senior Civil Judge, Warangal, was reversed setting aside the interim injunction granted by the trial Court.

2. The suit was filed for perpetual injunction and during pendency of the suit, I.A.No.627 of 2015 was filed under Order XXXIX Rules 1 and 2 CPC for grant of temporary injunction and the same was allowed granting interim injunction in favour of the plaintiff during the pendency of the suit. When the matter was carried to 1st appellate Court in C.M.A.No.69 of 2016, the order passed by the trial Court was reversed setting aside the interim injunction granted by the trial Court by assigning its own reasons. The same is assailed in the present revision petition on various grounds.

3. At the time of hearing, both counsel agreed for disposal of the main suit itself pending before the II Addl. Senior Civil Judge, Warangal, instead of deciding the present petition on merits since the dispute is with regard to cart track. It is further submitted by both counsel that in view of interim injunction granted by the trial Court, the trial has not yet commenced in the suit.

4. In the recent judgment in **M/S AKRITI LAND CON PVT. LTD., V KRISHNA BHARGAVA AND OTHERS**¹, the apex Court in similar

¹ JT 2017 (4) SC 379

circumstances directed both parties to maintain *status quo* and directed the trial Court to dispose of the suit itself as expeditiously as possible and in any event not later than six months.

5. Following the same guidelines, this Civil Revision Petition is disposed of directing both parties to maintain *status quo* as on today. The learned II Addl. Senior Civil Judge, Warangal, is directed to dispose of the suit O.S.No.469 of 2015 in accordance with law, as expeditiously as possible and in any event not later than six months from the date of receipt of a copy of this order. No order as to costs. Miscellaneous petitions, if any pending, in this revision shall stand closed.

DATED: 20-06-2017.
Hsd

M.SATYANARAYANA MURTHY, J

