

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL MISCELLANEOUS APPEAL No.529 OF 2015

JUDGMENT:

This appeal is filed under Order XLIII Rule 1(r) of C.P.C. challenging the order dated 24.06.2015 in I.A.No.488 of 2013 in O.S.No.81 of 2013 on the file of the II Additional District Judge, Madanapalle.

At the time of arguments, learned counsel for the appellant submitted that there is an interim injunction in favour of the appellant for the last two years.

Learned counsel for the respondents submitted that the respondents will not interfere with the possession of the appellant till disposal of the suit.

Learned counsel for both parties submitted that the trial Court may be directed to dispose of the suit as expeditiously as possible and they assured that their counter part will co-operate with the trial for disposal of the suit.

In view of the submissions made by the learned counsel for both parties, this Court is not inclined to go into the merits of the main case.

Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, the learned II Additional District Judge, Madanapalle, is hereby directed to dispose of O.S.No.81 of 2013, as expeditiously as possible, preferably within a period of seven (7) months from the date of receipt of a copy of this order without being influenced by

the observations, if any, made in this order. Both parties are directed not to make any constructions or improvements over the suit schedule property till disposal of the suit.

With the above directions, the Civil Miscellaneous Appeal is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in this Civil Miscellaneous Appeal shall stand closed.

T.SUNIL CHOWDARY, J

Date: 18.04.2017

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