

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No.3555 of 2017

ORDER:

This Civil Revision Petition is filed challenging the docket order, dated 17.05.2017, passed by the learned Vacation Civil Judge, Anantapuramu, (District Judge, Anantapuramu), in I.A.No.85 of 2017 in CMA.No.3 of 2017.

Learned counsel for the petitioner/plaintiff would submit that the lower appellate Court passed the order under revision without issuing notice to the petitioner/plaintiff.

Learned counsel for the respondents/defendants would contend that the respondents/defendants filed CMA.No.3 of 2017 before the lower appellate Court against the ad interim injunction order, dated 24.04.2017, passed by the trial Court in I.A.No.688 of 2017 in O.S.No.290 of 2017, and that taking advantage of the ad interim injunction order, certain constructions were sought to be made by the petitioner/plaintiff, as such, the respondents during vacation filed I.A.No.85 of 2017 in CMA.No.3 of 2017 seeking to grant stay of ad interim injunction order, dated 24.04.2017, and the lower appellate Court by the order under revision granted interim stay of ad interim injunction order till 01.06.2017.

Having considered the respective submissions, this Court is not inclined to interfere with the order under revision as the petitioner can make his submissions including the submission that the order, dated 24.04.2017, does not require interference, before the lower appellate Court. As a matter of fact, it is informed that CMA.No.3 of 2017 is posted to 13.12.2017.

Accordingly, the Civil Revision Petition is closed. However, it is open for the petitioner to approach the lower appellate Court and put forward his case.

Miscellaneous Petitions, if any pending shall stand closed. There shall be no order as to costs.

8th DECEMBER, 2017.

kvni

CHALLA KODANDA RAM, J

