

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

CIVIL REVISION PETITION Nos.686 AND 687 OF 2014

COMMON ORDER:

These Civil Revision Petitions, under Article 227 of the Constitution of India, are filed by the petitioners/defendants 1 and 2 assailing the common order, dated 23.10.2013, of the learned I Additional District Judge at Khammam, passed in C.MA.Nos.10 and 11 of 2013.

2. At the hearing, the learned counsel for the petitioners/defendants 1 and 2 would submit that the suit itself was disposed of on 05.01.2017. However, she further submits that since the suit is dismissed for default, application for restoration is filed.

3. Be that as it may, since the suit is now not pending on the file of the trial court and as only an application seeking restoration is stated to be pending, this Court is of the considered view that these revision petitions need not be kept pending on the file of this Court as the cause in these revision petitions does not survive for adjudication in view of the disposal of the suit.

4. Accordingly, the Civil Revision Petitions are dismissed. However, reserving liberty to the petitioners/defendants to seek restoration of the CMAs in case the suit stands restored and the petitioners/defendants stand entitled to seek restoration on facts of the case. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M.SEETHARAMA MURTI

August 28, 2017
Lm v