

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.3890 of 2017

ORDER:

The Civil Revision Petition is filed by the petitioner/plaintiff against the order dated 21.06.2017 passed in CMA.No.6 of 2016 by the II Additional District Judge, Karimnagar at Jagtial (first appellate Court), wherein the first appellate Court remanded the matter to the trial Court for fresh disposal by setting aside the injunction granted by the trial Court in IA.No.734/2014 in OS.No.192/2014 in favour of petitioner/plaintiff herein.

The case of the petitioner/plaintiff is that by virtue of the order dated 21.06.2017 passed in CMA.No.6 of 2016, the 3rd respondent-Municipality, is taking steps for demolition of the suit property and if the suit property is demolished, the injunction application as well as suit become infructuous. He further submits that though the first appellate Court remanded the matter to the trial Court for fresh disposal, the trial Court has not taken up the matter.

On the other hand learned counsel appearing for the 1st respondent /appellant submits that petitioner has no title to the suit property and the 1st respondent filed all the documents before the appellate Court. He also submits that the CRP can be disposed of with a direction to the trial Court

to dispose of the IA.No.734/2014 with in a specific time frame.

Learned counsel for the petitioner has also not objected for disposal of IA.No.734/2014.

In view of aforesaid submissions of both the parties, since there is threat of demolition of the suit property, without expressing any opinion on merits, this Court directs the trial Court to dispose of the IA.No.734/2014, within a period of one month from the date of receipt of a copy of this order, without being influenced by any of the observations made by this Court in the CRP. Till disposal of IA.No.734/2014, *Status quo*, obtaining as on today shall be maintained. If petitioner does not cooperate for disposal of the said IA, the trial Court can proceed further in the matter.

Accordingly, the CRP is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall stand closed.

A.RAJASHEKER REDDY, J

09.08.2017

Note: Issue CC by 10.08.2017.

B/o. tk