

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.4667 of 2017

ORDER:

This civil revision petition is filed under Article 227 of the Constitution of India challenging the order dated 05.9.2017 in I.A. No.72 of 2017 in O.S.No.63 of 2017 on the file of the Sub Divisional Magistrate & Special Assistant Agent (Mobile Court) at Bhadrachalam.

2. At the time of the arguments, learned counsel for both the parties, in one voice, submitted to set aside the *ex parte* interim injunction order dated 01.3.2017, the final order dated 05.9.2017 vacating the interim injunction, in I.A.No.72 of 2017, and consequential order dismissing O.S.No.63 of 2017. The gist of the submissions is to set aside all the orders in the suit and the I.A., and restore them to file with a direction to the trial Court to dispose of the I.A., expeditiously. In view of the said submission, this Court is not inclined to go into merits of the main case.

3. Having regard to the facts and circumstances of the case, the *ex parte* order dated 01.3.2017, the final order dated 05.9.2017 in I.A.No.72 of 2017, and the order dismissing O.S.No.63 of 2017 are hereby set aside. Consequently, O.S.No.63 of 2017 and I.A.No.72 of 2017 are restored to file, without effect of any orders passed either on 01.3.2017 or on 05.9.2017. The trial Court is hereby directed to dispose of I.A.No.72 of 2017 afresh in accordance with law, after marking the documents filed by both the parties, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above directions, the civil revision petition is disposed of. Miscellaneous petitions, if any pending in this civil revision petition shall stand closed.

T.SUNIL CHOWDARY, J

October 16, 2017.
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