

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CIVIL REVISION PETITION No.4639 OF 2017

ORDER:

This Civil Revision Petition is filed seeking to set aside the order, dated 28.07.2017, passed in I.A.No.783 of 2017 in A.S.No.241 of 2014 on the file of XII Additional District Judge, Pithapuram and consequently, dismiss the appeal with costs.

2. Case of the petitioners/respondents is that respondents/appellants filed O.S.No.140 of 1993 on the file of I Additional Senior Civil Judge, Kakinada against them for specific performance of contract based on an agreement of sale, dated 15.06.1970, and for permanent injunction and the same was dismissed with costs by judgment, dated 06.03.2009. Challenging the same, the respondents preferred appeal in A.S.No.241 of 2014 on the file of XII Additional District Judge, Pithapuram. On 15.06.2017, the appeal was dismissed for default on the ground that there was no representation on behalf of the respondents. The respondents filed I.A.No.783 of 2017 seeking to set aside the dismissal order, dated 15.06.2017, in A.S.No.241 of 2014 and restore the appeal to file and the same was allowed by order, dated 28.07.2017. Challenging the said order, petitioners/respondents filed the present Civil Revision Petition.

3. After arguing for sometime, learned counsel for the petitioners confined his arguments only to the extent of directing the appellate Court to dispose of the aforementioned appeal as expeditiously as possible, as the petitioners herein are suffering in

view of an order of temporary injunction granted in favour of the respondents herein.

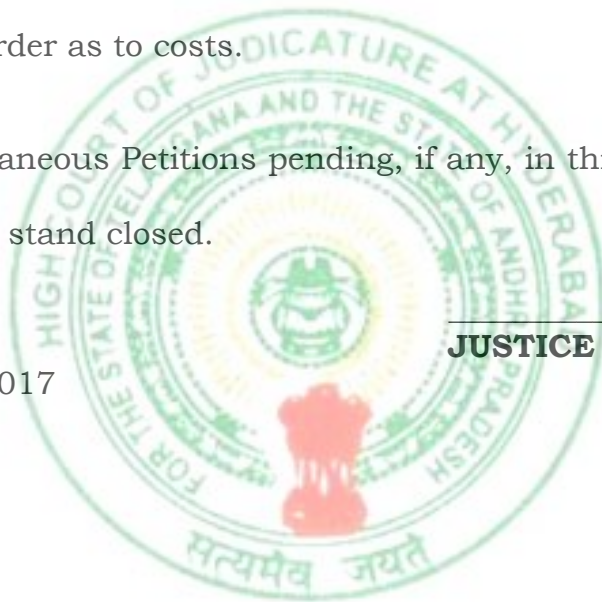
4. Considering the facts and circumstances of the case and the grievance of the petitioners, without going into the merits of the case, the learned XII Additional District Judge, Pithapuram is hereby directed to dispose of A.S.No.241 of 2014 as expeditiously as possible, preferably, within a period of three (3) months from the date of receipt of a copy of this order.

5. Accordingly, the Civil Revision Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Civil Revision Petition shall stand closed.

Date : 13.9.2017
AMD

JUSTICE RAJA ELANGO



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C.R.P.No.4639 OF 2017

Date: 13.9.2017

AMD