

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL MISCELLANEOUS APPEAL NO.684 OF 2017

ORDER:

This Civil Miscellaneous Petition is filed challenging the order dated 21.04.2017 in I.A.No.340 of 2017 in O.S.No.431 of 2017 on the file of Principal Junior Civil Judge, Warangal, wherein the trial Court directed both the parties to maintain *status quo* existing as on that day till 28.04.2017.

The petitioners are the respondents/defendants before the trial Court. The trial Court directed both the parties to maintain *status quo* for a limited period i.e., from 21.04.2017 till 28.04.2017 without deciding as to who is in lawful possession and enjoyment of the property as on that day. Now, the *status quo* order has been expired but passing an order directing both the parties to maintain *status quo* without giving any finding as to who is in lawful possession is illegal.

Since the *status quo* order is not in existence as on today, this Court need not set aside the said order, but the trial Court is directed to decide the application said to have been filed under Order XXXIX Rules 1 and 2 CPC in accordance with law. If for any reason, the Court is required to redirect both the parties to maintain *status quo* by giving specific finding as to who is in lawful possession and pass appropriate orders.

With the above observation, the CMA is disposed of at the stage of admission. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this petition shall stand closed.

M. SATYANARAYANA MURTHY, J

JULY 18, 2017

ssp

