

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.3026 Of 2017

ORDER:

1 This Civil Revision Petition, under Article 227 of the Constitution of India, is filed challenging the order dated 31.12.2016 passed in I.A.No.661 of 2016 in O.S.No.587 of 2016 on the file of the Special Assistant Agent & Sub-Divisional Magistrate (Mobile Court), Bhadrachalam.

2 Heard the learned counsel for the petitioner.

3 A perusal of the record reveals that the respondents herein filed O.S.No.587 of 2016 against the petitioner herein seeking perpetual injunction in respect of the suit schedule property. During pendency of the suit, the respondents filed I.A.No.661 of 2016 under Order 39 Rules 1 and 2 seeking *ex parte* injunction. The trial Court granted *ex parte* ad interim injunction on 31.12.2016 in favour of the respondents.

4 It appears that the petitioner did not file counter in I.A.No.661 of 2016. It is only an *ex parte* order. If this court expresses any opinion, touching the merits of the main case, the same may cause prejudice to one of the parties to the suit.

5 At the time of arguments, the learned counsel for the petitioner submitted that the trial Court may be directed to dispose of the I.A.No.661 of 2016 as expeditiously as possible.

6 Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for the petitioner, the trial Court i.e. Special Assistant Agent & Sub-Divisional Magistrate (Mobile Court), Bhadrachalam is hereby directed to

dispose of I.A.No.661 of 2016 in O.S.No.587 of 2016 as expeditiously as possible, preferably, within a period of one month from the date of receipt of copy of this order, after affording reasonable opportunity to both parties.

7 The Civil Revision Petition is accordingly disposed of. No order as to costs. As a sequel, miscellaneous petitions if any pending in this revision petition shall stand closed.

Date: 3rd July 2017
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T. SUNIL CHOWDARY, J.

