

THE HON' BLE SRI JUSTICE M. S. K. JAISWAL

CRP.No. 2018 OF 2017

ORDER:

The present revision petition is filed by the plaintiff in O.S.No.48 of 1997 on the file of Principal Senior Civil Judge, Srikakulam, which was filed for declaration and recovery of possession. By the judgment and decree dated 01.12.2014, the said suit was decreed by the trial Court, and aggrieved thereby the Respondents 1 to 7 herein preferred A.S.No.1 of 2015 on the file of I Additional District Judge, Srikakulam. Along with the said appeal, the respondents/ defendants also filed I.A.No.4 of 2015, and by order dated 15.06.2015 the lower appellate Court has stayed all further proceedings pursuant to judgment and decree in O.S.No.48 of 1997.

2. The contention of the petitioner herein, who is the plaintiff in the suit, is that the decree has been stayed and even though more than two years time is lapsed, the lower appellate Court is not disposing the appeal and thereby the petitioner/plaintiff is put to irreparable loss, since he is not in a position to enjoy the fruits of the decree obtained in the suit.

3. In view of the submissions, the revision petition is disposed of directing the learned I Additional District Judge at Srikakulam to dispose of the appeal expeditiously, preferably within a period of six months from the date of receipt of this order.

4. The CRP is accordingly disposed of. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

Dt.28-04-2017

M. S. K. JAISWAL

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