

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION Nos.2992, 2995, 5937 and 6420 of 2012

COMMON ORDER:

CRP Nos.2992, 2995, 5937 and 6420 of 2012 are filed under Article 227 of the Constitution of India challenging the common order dated 27.4.2017 in CMA Nos.54 and 55 of 2011 on the file of the Court of Additional District Judge, West Godavari District, Kovvur.

2. Both the parties challenged the impugned order by filing the present revision petitions. At the time of arguments, learned counsel for both parties, in all fairness, sought for remanding the matter, by setting aside of the impugned order, with a direction to the court below to consider the water yielding capacity of the bore-well and pass appropriate orders in the interest of both parties. In view of the submission made by the learned counsel for both the parties, this court is not inclined to go into the merits of the main case.

3. Hence, the civil revision petitions are allowed, setting aside the common order dated 27.4.2012 in CMA Nos.54 and 55 of 2012. The learned Additional District Judge, Kovvur, West Godavari District is hereby directed to dispose of CMAs afresh, taking into consideration the water source of the bore-well and pass the orders distributing the water to the parties proportionately. Miscellaneous petitions, if any pending in these revision petitions, shall stand closed.

T.SUNIL CHOWDARY, J

Date: 21.4.2017.

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