

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

CIVIL REVISION PETITION No.1933 of 2017

ORDER:

This revision is filed under Article 227 of the Constitution of India for a direction to the learned Appellate Authority constituted under the A.P. Buildings (Lease, Rent and Eviction) Control Act, 1960-cum-Senior Civil Judge, Gooty, Anantapur District, to dispose of C.M.A.No.3 of 2015 filed vide C.F.R.No.382 of 2013 as expeditiously as possible.

The petitioners are the respondents in CMA.No.3 of 2015 pending on the file of the Court below against the order and decree, dated 23.04.2013 passed in R.C.C.No.1 of 2011 on the file of Rent Controller-cum-Junior Civil Judge, Guntakal.

R.C.C.No.1 of 2011 filed by one Smt. D.Parvathamma, W/o. Late D. Ramaiah, under Section 4 of the A.P. Buildings (Lease, Rent and Eviction) Control Act, 1960 (for short, "the Act") was allowed in part with costs by the Court of Junior Civil Judge, Guntakal, on 23.04.2013, fixing the rent of Rs.9,500/- per month from the date of petition i.e., 17.09.2011. Questioning the said order, the respondent filed C.M.A.No.3 of 2015 on the file of the learned Appellate Authority-cum-Senior Civil Judge, Gooty, Anantapur District.

According to the learned counsel for the petitioners herein, the sole respondent in C.M.A.No.3 of 2015 i.e., Smt. D.Parvathamma, died on 20.08.2013 pending C.M.A.No.3 of 2015, which was filed on 25.04.2013. The respondent herein filed an

application to bring the 6th petitioner herein as legal representative of the deceased Smt. D. Parvathamma on record and also I.A.No.3 of 2013 seeking condonation of delay of 886 days in filing the said application. It is also brought to the notice of this Court that Smt. D. Parvathamma also filed C.M.A.No.2 of 2015 and after her death the petitioners herein filed I.A.No.1 of 2016 in C.M.A.No.2 of 2015 under Rule 19 of the Rent Control Act to come on record as legal representatives of the deceased Smt. D. Parvathamma and that the said C.M.As., are pending consideration till today before the Court of learned Senior Civil Judge, Gooty, despite expiry of considerable length of time. It is submitted by the learned counsel that apart from the death of Smt. D.Parvathamma, her legal representatives, who are the petitioners herein, are also in advanced stage.

Having heard the learned counsel for the petitioners and taking into consideration the facts and circumstances of the case, this Court deems it appropriate to direct the appellate authority under the Rent Control Act-cum-Senior Civil Judge, Gooty, to dispose of C.M.A.Nos.2 and 3 of 2015 as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

With the above direction, the revision is disposed of.

Miscellaneous petitions, if any, shall also stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 23.06.2017
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