

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**CIVIL REVISION PETITION No.2149 OF 2017**

**ORDER:**

The present Civil Revision Petition is filed by the petitioner/defendant No.1 aggrieved over the action of the I Additional Senior Civil Judge, Rajamahendravaram in not disposing of I.A.No.975 of 2016 in O.S.No.394 of 2011 filed by him.

2. Respondent No.1/plaintiff filed O.S.No.394 of 2011 on the file of the I Additional Senior Civil Judge, Rajamahendravaram against the petitioner and respondent No.2 herein for permanent injunction and the same was decreed *ex parte* on 07.09.2011. As there is a delay of 1864 days in filing the petition to set aside the *ex parte* decree, the petitioner herein filed I.A.No.975 of 2016 in O.S.No.394 of 2011, but the said interlocutory application is not being disposed of the learned I Additional Senior Civil Judge, Rajamahendravaram. Hence, the petitioner filed the present revision petition seeking a direction to the learned Judge to dispose of the said application as expeditiously as possible.

3. Heard and perused the material available on record.

4. Admittedly, the petitioner filed the aforesaid application on 16.11.2016. In view of the non-disposal of the said application, respondent No.1 is prevailing on the police to take undue advantage of the *ex parte* decree. Hence, non-disposal of the said application causes prejudice to the petitioner.

5. Considering all the facts and circumstances of the case, the learned I Additional Senior Civil Judge, Rajamahendravaram is directed to dispose of I.A.No.975 of 2016 in O.S.No.394 of 2011 pending on his file as expeditiously as possible, preferably, within a period of two (2) months from the date of receipt of a copy of this order.

6. Accordingly, the Civil Revision Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous petitions pending, if any, in this Civil Revision Petition shall stand closed

Date : 07.06.2017  
AMD

**JUSTICE RAJA ELANGO**



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