

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**CIVIL REVISION PETITION NO.3626 OF 2017**

**ORDER:**

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed questioning the inaction of III Additional Chief Judge, City Civil Court, Hyderabad, in not disposing of O.P.No.2951 of 2016 filed under Section 9 of the Arbitration and Conciliation Act, 1996.

2. The aforesaid O.P. was filed for grant of interim protection by directing the respondents to open a separate bank account and deposit cash withheld by them from 08.05.2016 till the date of filing of petition and continue to do so till termination of arbitral proceedings.

3. The main grievance of the petitioner is that initially the respondents remained *ex parte* and thereafter, the Court below instead of hearing arguments in the O.P., adjourned the matter to 05.07.2017. But on that day, respondents filed vakalat along with a petition to set aside the *ex parte* order and the petitioner reported no objection for allowing the petition. In spite of the same, the Court below adjourned the matter without any reasonable cause.

4. Since the order required to be passed as interim measure under Section 9 of the Act, if it is not disposed of, it may result in serious loss to the party to the arbitration proceedings, which are pending before the Arbitrator. Therefore, I deem it appropriate to direct III Additional Chief Judge, City Civil Court, Hyderabad, to decide the aforesaid O.P., as expeditiously as possible, in any event, not later than two (02) months from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of at the stage of admission. Miscellaneous petitions, if any, pending in this revision petition shall stand closed. There shall be no order as to costs.

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**M. SATYANARAYANA MURTHY, J**

**JULY 27, 2017**

Note:

Furnish C.C. by 31.07.2017.

(B/o)  
YVL



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**Date: 27.07.2017**