

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

C.R.P. No.6214 OF 2016

ORDER :

Heard counsel for the petitioner.

2. None appeared for the respondent even though the name of Sri D.Murali Krishna is printed in the cause list.

3. The respondent had filed the suit O.S.No.589 of 2006 of the II Additional Junior Civil Judge, Tadepalligudem against the petitioner for perpetual injunction restraining the petitioner from interfering with her alleged peaceful possession and enjoyment of the plaint schedule property.

4. The said suit was decreed on 19.11.2015.

5. Challenging the said order, petitioner preferred appeal A.S. No. 3 of 2016 on the file of the Senior Civil Judge, Tadepalligudem and also filed I.A.No.379 of 2016 seeking stay of operation of the judgment and decree of the Court below pending disposal of the appeal.

6. Initially status quo order was granted on 09.03.2016.

7. After contest, on 27.06.2016, I.A.No.379 of 2016 was dismissed though the appeal continues to be pending before the Senior Civil Judge, Tadepallygudem.

8. Challenging the same, this Revision is filed.

9. This Court on 26.12.2016 granted interim suspension of the judgment and decree dt.19.11.2015 in O.S.No.589 of 2006 and the same is subsisting as on date.

10. Having regard to the said facts, this Civil Revision Petition is disposed of directing the Senior Civil Judge, Tadepallygudem to decide A.S.No.3 of 2016 on his file within a period of six (06) weeks from the date of receipt of a copy of this order, after hearing counsel on both sides, uninfluenced by this order. Pending the appeal, the interim suspension granted on 26.12.2016 of the judgment and decree of the trial Court shall continue. It is made clear that this Court has not expressed any opinion on the merits of the case either way. There shall be no order as to costs.

11. Consequently, miscellaneous petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

03rd March, 2017

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