

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NO.3611 OF 2017

ORDER:

This Civil Revision Petition under Section 115 of CPC is filed challenging the Order dt.16.03.2017 in I.A.No.1560 of 2016 in A.S.No.247 of 2016 passed by the IX Additional Chief Judge, City Civil Court, Hyderabad granting stay of further proceedings by exercising powers under Section 151 CPC.

There is stay of execution of decree in O.S.No.1936 of 1997 on the file of the VIII Additional Senior Civil Judge, City Civil Court, Hyderabad pending disposal of the appeal. But, the learned counsel for the petitioner brought to the notice of this court that earlier an appeal was preferred against the decree and judgment passed by the trial Court and this court by decree and judgment in CCCA No.87 of 2006, remanded the matter to the trial Court to make an enquiry to a limited extent about the authorisation of the Secretary to file and prosecute the proceedings and the trial Court enquired into and passed the decree and judgment which is under challenge. The suit is of the year 1997, almost more than two decades. Based on the age of the suit, the learned counsel requested to direct the appellate court to decide the appeal as expeditiously as possible without requesting this court to pass any order against the I.A.No.1560 of 2016 filed under Order 41 Rule 5(1) r/w Section 151 CPC. It is needless to observe that the suit is of the

year 1997 i.e. more than 20 years old and still it is pending at the first appellate stage on account of the remand by this Court in CCCA No.87 of 2006 and that too, the suit is for ejectment of tenant in occupation. As the learned counsel for the petitioner did not invite any order on this petition, but requested this Court to direct the appellate Court to dispose of the appeal as early as possible.

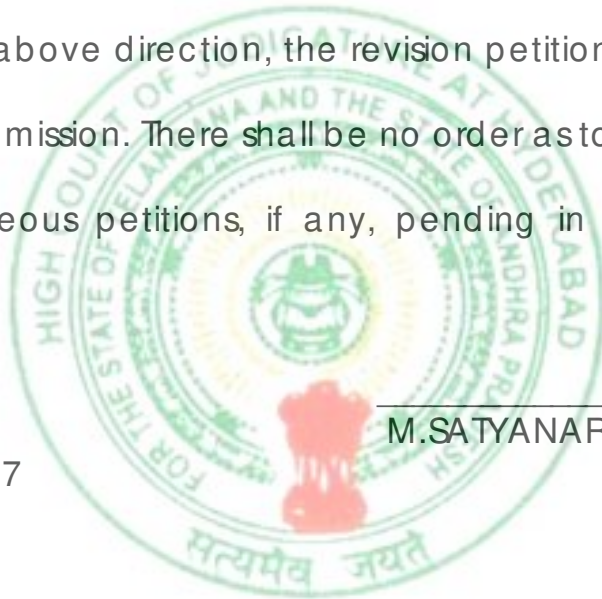
Taking into consideration of the age of the suit, the appellate Court is directed to decide the appeal as expeditiously as possible, in any event, not later than six months from the date of receipt of this order.

With the above direction, the revision petition is disposed of at the stage of admission. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this petition shall stand closed.

DATE: 26-07-2017
ccm

M. SATYANARAYANA MURTHY, J



HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY



CIVIL REVISION PETITION NO.3611 OF 2017

Date:26.07.2017

ccm