

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

C.M.A.No.351 OF 2010

JUDGMENT

This Civil Miscellaneous Appeal is directed against the order dated 01.02.2010 passed in I.A.No.346 of 2009 in A.S.No.73 of 2009 by the X District & Sessions Judge, Krishna at Machilipatnam.

I.A.No.346 of 2009 was filed by the appellant under Order 39, Rule 1 and Section 151 CPC seeking injunction restraining the respondent-Municipality from collecting enhanced tax, pending disposal of the appeal and the same was dismissed vide order dated 1.2.2010.

This Court, by order dated 28.04.2010, granted interim stay subject to deposit of half of the difference amount within a period of eight weeks and in case of failure to deposit the same, the stay shall stand vacated automatically without further reference to the Court.

Learned counsel appearing for the appellant submits that the appeal is still pending before the trial Court.

In view of the same, the Civil Miscellaneous Appeal is disposed of by directing the X Additional District & Sessions

Judge, Krishna at Machilipatnam, to dispose of the appeal as expeditiously as possible, but not later than six months from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

3rd August, 2017
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