

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CIVIL REVISION PETITION No.4722 OF 2011

ORDER:

This revision is filed by the petitioners/defendants, aggrieved by the order dated 25.07.2011 in CMA No.10 of 2010 passed by the I Additional District Judge, Ranga Reddy District at L.B.Nagar, Hyderabad.

Heard both sides.

Pending disposal of O.S.No.18 of 2009, which is filed for permanent injunction by the sole plaintiff against five defendants in respect of the plaint schedule property of Ac.1.05 guntas of Dandumailaram Village, Ibrahimpatnam Mandal, Ranga Reddy District bearing S.Nos.380/AA admeasuring Ac.0.03 gts., S.No.380/E admeasuring Ac.0.10 gts., S.No.380/U admeasuring Ac.0.05 gts., S.No.381/A admeasuring Ac.0.07 gts., S.No.381/U admeasuring Ac.0.20 gts., within the same boundaries, a temporary injunction application in I.A.No.93 of 2009 was filed by the plaintiff and the same, on contest, was ended in dismissal on 16.12.2009 with reference to Exs.P1 to P8 and R1 to R24 and the unsuccessful plaintiff/petitioner maintained C.M.A.No.10 of 2010 and the lower appellate Court, by order, dated 25.07.2011 set aside the trial Court's dismissal order and granted injunction pending disposal of the suit and impugning the same, the defendants maintained the present revision in 2011.

This Court, on 24.01.2012, while ordering notice to the respondent/plaintiff in the revision, in CRP MP No.6715 of 2011

granted interim suspension of the lower appellate Court's injunction order and the same is in force, for, later not so far vacated.

The suit is of the year 2009 and riped for trial, undisputedly. At this stage, there is nothing to interfere, but for, to say, all through the interim order granted by this Court is in force, thereby, while ordering to continue the same, without prejudice to the contest of both sides in the suit, the lower Court is directed to decide the suit on own merits of the full dressed trial uninfluenced either by the trial Court's injunction dismissal order or by the lower appellate Court's reversal order allowing the C.M.A. The lower Court is further directed to give preferential disposal of O.S.No.18 of 2009 expeditiously within a period of four months from the date of receipt of copy of this order.

Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. There shall be no order as to costs.

Date:27-12-2017

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Dr. B. SIVA SANKARA RAO, J

