

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.697 of 2017

ORDER:

This civil revision petition is filed under Article 227 of the Constitution of India, challenging the order dated 08.11.2016 in Memo SR No.5655 of 2016 in O.S. No.221 of 2016 on the file of the Court of XI Additional Chief Judge, City Civil Court, Hyderabad.

2. Heard the learned counsel for the petitioner.

3. A perusal of the record reveals that respondent No.1 herein filed O.S. No.221 of 2016 against the petitioner and second respondent for perpetual injunction in respect of the suit schedule property. Pending the suit, the petitioner filed I.A. No.1643 of 2016 under Order XXVI Rule 9 read with Section 151 of CPC for appointment of Advocate Commissioner. The petitioner filed the Memo requesting the trial Court to dispose of I.A. No.1643 of 2016. For one reason or the other, the trial Court has not disposed of I.A. No.1643 of 2016 but, by the impugned order dated 08.11.2016, rejected the Memo. Hence, the present civil revision petition.

4. At the time of hearing, the only relief sought by learned counsel for the petitioner is to direct the trial court to dispose of I.A. No.1643 of 2016 as early as possible. In view of the submission made by the learned counsel for the petitioner,

this Court is not inclined to go into the merits of the main case.

5. Having regard to the facts and circumstances of the case, the trial court is hereby directed to dispose of I.A. No.1643 of 2016 in O.S. No.221 of 2016 as expeditiously as possible preferably within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, the civil revision petition is disposed of. Miscellaneous petitions, if any pending in this revision petition shall stand closed.

Date: 17.2.2017.
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T.SUNIL CHOWDARY, J

