

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NO.2004 OF 2017

ORDER:

This revision is filed under Article 227 of the Constitution of India questioning the inaction of the Principal Junior Civil Judge, Sangareddy in disposal of I.A.No.851 of 2014 in O.S.No.541 of 2006.

Petitioner herein filed suit O.S.No.541 of 2006 for partition, which was dismissed for default on 04.07.2014, thereupon the petitioner filed a petition under Order IX Rule 9 read with Section 151 of Code of Civil Procedure (for short "C.P.C.") to restore the above suit to its original number by setting aside the dismissal order passed on 04.07.2014, but the trial Court did not pass any order on the said petition though it is a petition of 2015 and adjourned to 14.09.2015, again adjourned to 03.11.2015, similarly 11 times the matter was adjourned, now it is coming up for hearing and it is posted to 18.04.2017.

The suit filed for partition was dismissed on 04.07.2014 and petitioner filed petition under Order IX Rule 9 read with 151 of C.P.C. explaining the reason for his absence on the date of adjournment and the said reason is beyond the reasonable control of the petitioner. However, the merits of the petition cannot be gone into at this stage, in view of long pendency of the application, I deem it appropriate to direct the Principal Junior Civil Judge, Sangareddy to decide the I.A.No.851 of 2014 in O.S.No.541 of 2006 as expeditiously as possible. Accordingly, the Principal Junior Civil Judge, Sangareddy is directed to decide the I.A.No.851 of 2014 in O.S.No.541 of 2006 before the end of April, 2017.

With the above direction, the revision is disposed of. No costs.

The miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

17.04.2017
Ksp

