

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION NO.5437 OF 2012

ORDER:

The order dated 18.07.2012 passed in CMA.No.9 of 2010 by the Senior Civil Judge, Sompeta is challenged before this Court.

Considering the merits of the matter, the trial Court granted temporary injunction restraining the respondent-defendant (petitioner herein) from interfering with the peaceful possession and enjoyment of the petition schedule property till the disposal of the suit vide order dated 28.01.2009 in IA.No.190 of 2008 in OS.No.52 of 2008. Aggrieved by the same, the defendant filed CMA.No.9 of 2010. On appreciation of the material on record, the appellate Court allowed the CMA vide its order dated 18.07.2012. Challenging the same, the present CRP is filed.

While admitting the CRP on 02.11.2012, this Court directed both the parties to maintain *status quo* as on that day for a period of three weeks. Thereafter, the said interim order came to be extended by four more weeks on 31.12.2012 and continued till 07.02.2013 by order dated 01.02.2013. There is no further extension of the said interim order after 07.02.2013. In other words, there was no injunction in favour of the plaintiff during the pendency of CRP.

Under these circumstances, the Civil Revision Petition is dismissed with a direction to the trial Court to dispose of the suit in OS.No.52 of 2008 in terms of the High Court's Circular, as expeditiously as possible. It is also made clear that the findings recorded in the I.A. or the CMA may not be construed as final while

disposing the suit. There shall be no order as to costs.

Miscellaneous petitions, if any, pending shall stand dismissed.

(CHALLA KODANDA RAM, J)

3rd August 2017
RRB

