

HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Civil Revision Petition No.2374 of 2017

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the unsuccessful appellant having been aggrieved of refusal to grant stay orders during the pendency of the statutory appeal in C.M.A.No.28 of 2017 on the file of the Court of the Chief Judge, City Civil Court, Hyderabad.

2. I have heard the submissions of *Sri R.A.Achuthanand*, learned counsel appearing for the petitioner, and of *Sri C.Buchi Reddy*, learned counsel appearing for the respondents 1 and 2. I have perused the material record.

3. At the hearing, learned counsel appearing for the petitioner/ appellant would submit that in view of the nature of the decree, which is challenged in the statutory Civil Miscellaneous Appeal, the Court below ought to have granted stay orders during the pendency of the said appeal, and that in any view of the matter, this civil revision petition may be disposed of, directing the learned Chief Judge, City Civil Court, Hyderabad, to dispose of the appeal before the end of November, 2017, while granting stay orders till disposal of the said appeal by the learned Chief Judge, within the time specified by this Court.

4. Learned counsel appearing for the respondents endorses the said submission, which is alternatively made by the learned counsel appearing for the petitioner/ appellant.

5. In view of the afore-stated submissions, the Civil Revision Petition is disposed of directing the learned Chief Judge, City Civil Court,

Hyderabad, to dispose of the appeal-CMA No.28 of 2017, on its merit and in strict accordance with the procedure established by law, as expeditiously as possible and preferably before 30.11.2017, however, uninfluenced by the observations in the impugned order. It is made clear that the order impugned in the CMA shall remain stayed till the learned Chief Judge disposes of the CMA, as directed in this order.

Pending miscellaneous petitions, if any, in this revision petition shall stand closed.

M. SEETHARAMA MURTI, J

12th September, 2017
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