

HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.883 of 2017

ORDER.

Heard Mr. G.Venkat Reddy for the revision petitioner.

The revision petitioner very subtly complains that the learned I Additional District Judge, Kurnool is not conforming to the requirement of Rule-3A of Order-XXXIX of Civil Procedure Code in disposing of I.A.No.268 of 2015 in O.S.No.127 of 2015. The relevant dates relied upon by the revision petitioner are as follows:

- (1) On 14.12.2015, ad interim injunction was granted in favour of respondent No.1 and
- (2) On 23.12.2015, revision petitioner entered appearance and also filed counter-affidavit opposing the prayer for grant of temporary injunction in I.A.No.268 of 2015."

Now, his grievance is that the trial Court is not disposing of the I.A. within the time stipulated by Rule-3A of Order-XXXIX C.P.C. but extending the ad interim injunction.

From the details referred to above, this Court is satisfied that the duty cast on the trial Court under Rule-3A of Order-XXXIX C.P.C is not adhered and the grievance in the revision is tenable. Hence, Civil Revision Petition is ordered by directing the learned I Additional District Judge, Kurnool to

dispose of I.A.No.268 of 2015 within four weeks from the date of receipt of copy of this order uninfluenced by the observations of this Court made on the inaction in disposing of the application.

Miscellaneous Petitions pending, if any, in this Civil Revision Petition shall stand closed. There shall be no order as to costs.

JUSTICE S.V.BHATT

28th February, 2017

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