

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Civil Revision Petition No.1904 of 2017

ORDER:

Heard learned counsel for petitioner Sri V.R.Reddy Kovvuri.

2) The grievance of the petitioner is that he is the 4th plaintiff in O.S.No.77 of 2016 on the file of VI Additional District Judge, Kadapa, YSR District (now pending on the file of IV Additional District Judge, Kadapa), which is a suit filed for specific performance of the suit agreement to sell and in I.A.No.761 of 2016, the plaintiffs sought for interim injunction restraining the respondents/defendants from alienating the suit schedule property and though the trial Court has initially granted interim injunction on 23.07.2016 till 26.08.2016 and the respondents have put up their appearance and filed counters, the trial Court neither disposed of interim injunction petition within the time stipulated under Order 39 Rule 3(a) CPC nor extended the interim injunction inspite of plaintiffs filing a separate application for extension of interim injunction and in that view of the matter, the plaintiffs are put to much inconvenience. The petitioner/4th plaintiff thus seeks intervention of the High Court under revisional jurisdiction since the trial Court failed to exercise its jurisdiction vested in it.

3) Having regard to the nature of the CRP, this Court finds no necessity to issue notice to respondents as a suitable direction to the

trial Court would meet the ends of justice since the trial Court failed to exercise the jurisdiction within the time stipulated by the law.

4) In the result, this Civil Revision Petition is allowed at the admission stage and the trial Court is directed to dispose of I.A.No.761 of 2016 in O.S.No.77 of 2016 on merits within two (2) months from the date of receipt of a copy of this order.

As a sequel, miscellaneous petitions, if any, pending shall stand closed.

U.DURGA PRASAD RAO, J

Date: 12.04.2017

Note:

- 1) Issue C.C by 13.04.2017
- 2) Registry shall send copy of this order to the Court of IV Additional District Judge, Kadapa.

(b/o)
scs

