

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

C.R.P.No.2947 of 2017

ORDER:

This revision is filed under Article 227 of the Constitution of India against non-granting of stay in I.A.No.38 of 2017 in A.S.No.7 of 2017, on the file of the Court of the Senior Civil Judge, Dharmavaram.

2. Heard the learned counsel for the petitioner.

3. The respondents herein instituted suit O.S.No.115 of 2012 on the file of the Court of the Junior Civil Judge, Dharmavaram. The learned Junior Civil Judge, on 20.02.2017, decreed the suit, directing the defendant/petitioner herein to deliver possession of the suit schedule property to the plaintiff within 90 days from said date. According to the learned counsel for the petitioner, in the month of February, 2017, the defendant/petitioner herein preferred A.S.No.7/2017, on the file of the Court of the Senior Civil Judge, Dharmavaram. It is further stated by the learned counsel that when there was interference by the police, petitioner herein filed W.P.No.17304 of 2017 and the same is pending before this Court. The first respondent herein on 24.05.2017 lodged a complaint with the police, Dharmavaram and basing on which the police registered FIR.No.123 of 2017 against the petitioner for the offences alleged under Sections 323, 354 and 506 I.P.C. It is also submitted that questioning the registration of FIR, petitioner herein filed Orl. Petition No.4003 of 2017 before this Court and the same was disposed of directing the police to follow the provisions of Section 41-A of the Code of Criminal Procedure.

4. The sum and substance of the case of the petitioner as submitted by the learned counsel for the petitioner is that the respondents instead of filing E.P., approached the police to harass the petitioner. According to the learned counsel, petitioner herein filed a stay application also vide I.A.No.38/2017, on the file of the Court of the Senior Civil Judge, Dharmavaram and the same is pending. The docket proceedings are also placed on record along with the present revision and the same discloses that the petitioner herein filed the said application on 01.06.2017 and thereafter the Court below adjourned the matter, firstly on 01.06.2017 to 05.06.2017, secondly on 05.06.2017 to 12.06.2017 and thereafter from 12.06.2017 to 20.06.2017 and subsequently to 23.06.2017.

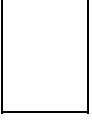
5. Today, it is submitted at hearing by the learned counsel for the petitioner that the said application stands posted to 27.06.2017. Since the said I.A.No.38/2017 is pending consideration before the learned Judge, this Court deems it appropriate to direct the learned Judge to dispose of the said application.

6. The revision is accordingly disposed of with a direction to the learned Senior Civil Judge, Dharmavaram to consider and dispose of I.A.No.38 of 2017 in A.S.No.7 of 2017 as expeditiously as possible, preferably, within a period of three weeks from the date of receipt of a copy of this order. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 23.06.2017

Note:
CC in three days.
Bo/grk



THE HON'BLE SRI JUSTICE A.V.SESHA SAI



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Dated 23.06.2017

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