

THE HON' BLE SRI JUSTICE M.S.K.JAISWAL

CRP.NO. 1663 OF 2017

ORDER:

This Revision Petition is filed to direct the Junior Civil Judge, Tekkali, Srikakulam district to dispose of I.A.No.426 of 2016 in O.S.No.55 of 2016 expeditiously.

2. The suit is filed for perpetual injunction, and pending the same, the above I.A., is filed seeking an *ex parte* temporary injunction. The trial Court granted interim injunction in December, 2016. The petitioner herein, who is 3rd defendant in the suit appeared in the suit and also filed counter in the said I.A., on 05.01.2017. Thereafter, the matter was not taken up for disposal. Therefore, the petitioner/ 3rd defendant filed I.A.No.81 of 2017 for advancement of the date of hearing of I.A.No.426 of 2016. The trial Court by order dated 14.02.2017 dismissed the application for advancement of I.A.No.426 of 2016.

3. The learned counsel for the petitioner submits that the Court below has not taken into consideration the fact that the applications in which *ex parte* orders are passed are required to be disposed of expeditiously, and even though counter was filed on 05.01.2017 itself, and the application to advance the hearing of the said I.A., was filed, the learned Judge has passed a detailed order and dismissed the application for advancement of the hearing of the I.A.

4. Heard the learned counsel and considered the material on record.

5. In view of the above circumstances, the revision petition is disposed of directing the Junior Civil Judge, Tekkali to dispose of the

I.A.No.426 of 2016 in O.S.No.55 of 2016 within a period of two months from today. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

Dt.07-04-2017

M. S. K. JAISWAL
Kv



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