

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE T. AMARNATH GOUD
C.M.A.No.1095 of 2017

JUDGMENT: *(per Hon'ble Sri Justice Sanjay Kumar)*

Sri D. Raghavender Rao, learned counsel representing Sri D.Madhava Rao, learned counsel for the appellants, would inform this Court that the appellants herein, being the defendants in the suit, already filed a petition to vacate the interim order granted by the Court below in I.A.No.726 of 2017 in O.S.No.828 of 2017. His complaint presently is that there is no regular officer presiding over the Court below and the said application is being taken up.

As we are now informed that the regular Officer who was on leave has reported back to duty, it shall be open to the appellants to make a mention before the Court below for expeditious hearing and disposal of the petition filed by them in relation to the interim order granted earlier in the suit.

We are certain that in the event such a mention is made, the Court below shall endeavour to dispose of the Interlocutory Application in terms of the mandate in Order 39 Rule 3-A CPC.

The appeal is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE T. AMARNATH GOUD

Date: 20.10.2017
Note: Issue CC on 23.10.2017
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