

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No. 7228 OF 2017

DATED 22ND DECEMBER, 2017

Between:

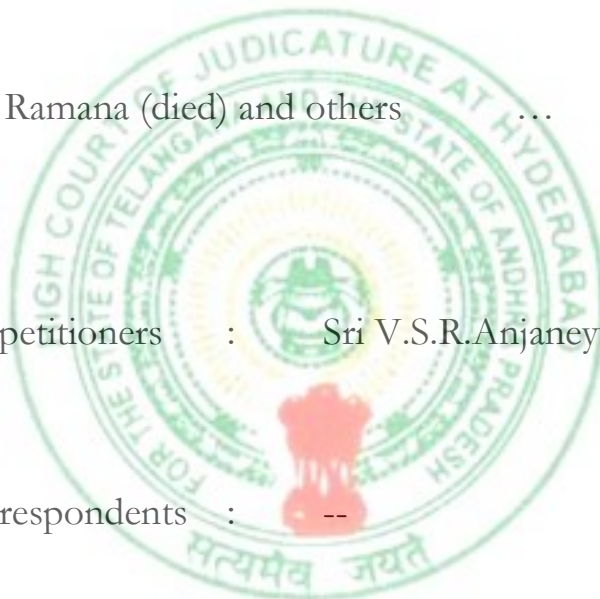
Mandava Kamalamma and others ... Petitioners

AND

Balireddy China Ramana (died) and others ... Respondents

Counsel for the petitioners : Sri V.S.R.Anjaneyulu

Counsel for the respondents : --



THE COURT MADE THE FOLLOWING

ORDER:

The defendants in O.S.No. 13 of 1994 on the file of the Court of Principal Senior Civil Judge, Anakapalle (for short, 'the Court below'), have invoked the supervisory jurisdiction of this Court under Article 227 of the Constitution of India with the grievance that though I.A.No. 367 of 2006, filed for condonation of delay in filing I.A.No. 418 of 2016 for setting aside the *ex parte* decree, was allowed as far back as 01-11-2016, the Court below has not been disposing of the I.A.No. 418 of 2016 and that so far, the said I.A. was adjourned as many as 16 times. In support of the plea of the petitioners, they have filed certified copy of the docket proceedings.

2. In my opinion, the Court below is not justified in sitting over the application filed for setting aside the *ex parte* decree having already condoned the delay in filing the said application. The nature of the application as the present one is such that its disposal should not consume much time of the Court, more so when the delay has already been condoned. The suit being of the year 1994, I do not find any justification for the Court below to keep the I.A. filed by the petitioners pending for long. Therefore, the Court below is directed to dispose of the I.A.No. 418 of 2016 as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order.

3. The civil revision petition is accordingly allowed.
4. As a sequel to disposal of the civil revision petition, C.R.P.M.P.No. 9288 of 2017 shall stand closed as infructuous.

C.V.NAGARJUNA REDDY, J.

Date: 22-12-2017.

JSK

