

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.1305 of 2018

ORDER:

As this Court does not propose to enter into the merits of the matter at this stage, no necessity is made out to put the respondent/plaintiff on notice.

It appears that the learned IV Additional District Judge, Ranga Reddy District at L.B.Nagar, thought it fit to grant an *ex parte* interim order on 23.02.2017 in I.A.No.210 of 2017 in O.S.No.178 of 2017. The petitioners herein, being the defendants in the said suit, filed a counter on 21.02.2017 in the said I.A. seeking vacating of the said order.

The grievance of the petitioners presently is that the Court below has not taken up the I.A. for passing final orders thereon.

As Order 39 Rule 3-A CPC requires the trial Court to dispose of an injunction application, where an injunction has been granted without giving notice to the opposite party, within thirty days and in the event it is unable to do so, to record its reasons for such inability, the Court below necessarily has to follow such mandate.

The civil revision petition is accordingly disposed of directing the learned IV Additional District Judge, Ranga Reddy District at L.B.Nagar, to adhere to and abide by the mandate of Order 39 Rule 3-A CPC.

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

SANJAY KUMAR,J

Date:09.03.2018
PGS/GJ