

HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU

CIVIL REVISION PETITION No.5304 of 2009

ORDER:

This petition is filed against the order dated 30.09.2009 in E.P.No.6 of 2009 in O.S.No.595 of 1990 on the file of the Junior Civil Judge, Jangareddigudem.

Learned counsel for the petitioners contends that the dispute arises out of the disobedience of an injunction order passed in relation to the usage of passage, against which an order was passed by the lower Court in the suit. He further contends that after the present CRP is filed, stay was obtained and therefore, the Judgment debtors were not actually sent to civil prison.

Both the learned counsel submits that due to passage of time, the matter has been amicably settled and no direct infringement of the order as on date is complained.

Both the parties also agreed that in view of the subsequent developments, enforcing of the impugned order may not be really necessary because of the fact that all the parties are peacefully exercising their rights over the properties as on date. The parties are neighbouring owners of the land and the situation has substantially improved.

Both the learned counsel also agreed that incase there is a future infringement of the order, the parties can work out their remedies according to the situation.

In these circumstances, this Court is of the opinion that no further purpose will be served by keeping the revision pending.

In the peculiar circumstances of the case, without going into the merits of the case, the Civil Revision Petition is disposed of by

setting aside the order dated 30.09.2009 in E.P.No.6 of 2009 in O.S.No.595 of 1990 on the file of the Junior Civil Judge, Jangareddigudem since neither of the parties want to pursue the matter further. No costs.

The Miscellaneous Petitions, if any, pending shall stand closed.

D.V.S.S.SOMAYAJULU, J

Date : 24.01.2018
ssp

