

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION No.875 of 2018

ORDER:

This Civil Revision Petition is filed by the petitioner/defendant aggrieved by the order dated 7.12.2017 in I.A.No. 1065 of 2017 in O.S.No. 484 of 2015 passed by the learned Senior Civil Judge, Nalgonda directing the petitioner/defendant to maintain status quo in respect of the petition schedule property until further orders.

Notice sent to respondent/plaintiff returned unserved on the ground that the 'addressee refused to receive notice'. Hence, service is presumed in view of the observation made by the Apex Court in *C.C.Alavihaji vs. Palapetty Muhammed and another*¹.

Heard learned counsel for petitioner.

Learned counsel for petitioner would submit that the suit O.S.No. 484 of 2015 is for perpetual injunction, wherein the respondent/plaintiff filed I.A.No. 1065 of 2017 and obtained status quo order which causes any amount of hardship to the petitioner/defendant. He would submit that the petitioner/defendant has already filed his counter in I.A.No. 484 of 2015 but the trial Court so far has not taken up the enquiry. He would thus request the Court to give a direction to the trial Court to conduct an enquiry and pass necessary orders in the interest of justice.

Having regard to the above submission, the Civil Revision Petition is disposed of with a direction to the trial Court to conduct an enquiry in I.A.No. 1065 of 2017 and pass an order on merits expeditiously but not later than two months from the date of receipt of a copy of this order.

¹ (2007) 6 SCC 555

As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 06.06.2018
KA

Note: Furnish copy in two days.

