

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.1133 OF 2018

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed to issue a direction to the Court of V Additional District Judge, Kothagudem, Bhadrachalam District, alleging that a suit was filed by the respondent herein/plaintiff for perpetual injunction and along with the suit he filed I.A.No.168 of 2017 under Order 39 Rules 1 and 2 CPC for grant of temporary injunction, during pendency of the suit, and the same was allowed.

Aggrieved by the Order, an appeal was preferred against Order in I.A.No.1781 of 2017 in CMA No.09 of 2017 before V Additional District Judge, Kothagudem, along with the application to suspend the interim order granted by the trial Court, but the said Court did not pass any order either in the petition filed under Section 151 CPC to suspend the interim order granted by the trial Court or in the main appeal and on account of such order, the petitioner is put to serious inconvenience and prayed to issue necessary directions.

Nodoubt, the trial Court passed interim order against this petitioner/defendant and an appeal is preferred by the petitioner/plaintiff before V Additional District Court, Kothagudem. But, this Court can exercise supervisory jurisdiction under Article 227 of the Constitution of India and issue necessary directions both on administrative side and judicial side. Therefore, V Additional

District Judge, Kothagudem, Bhadradi Kothagudem District, is directed to dispose of the petition filed under Section 151 CPC to suspend the Order in accordance with law or if possible dispose of the appeal as expeditiously as possible not later than 2 months from the date of receipt of a copy of this Court.

Miscellaneous petitions, if any, pending in this case shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Dt. 22.02.2018
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C.R.P.No.1133 OF 2018

Dt.22.02.2018

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