

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

C.R.P.NO.1499 OF 2018

ORDER

The respondent / plaintiff filed the suit in O.S.No.238 of 2008 against the petitioner / defendant, on the file of Principal Senior Civil Judge Court, Kovvur, for recovery of amount. The suit was decreed ex parte by order dated 27.04.2009. For setting the ex parte decree, the petitioner/plaintiff filed I.A.No.933 of 2009 under Order 9, Rule 13 CPC. The said application was dismissed for default. For restoration of the said application, petitioner filed I.A.No.744 of 2011 in I.A.No.933 of 2010 in O.S.No.238 of 2008. Aggrieved by non-disposal of said I.A., the present revision is filed.

Petitioner's counsel states that the present I.A. is not being disposed of by the court below and in the grounds of revision, he furnished the details of the dates on which the matter was adjourned. The same is extracted as under:

“The petitioner humbly submits that the matter is adjourned for haring on 26.08.2013, 10.09.2013, 24.09.2013, 09.10.2013, 30.10.2013, 19.11.2013, 20.12.2013, 26.02.2014, 25.03.2014, 18.06.2014, 06.07.2014, 12.08.2014, 16.10.2014, 05.11.2014, 26.12.2014, 16.02.2015, 18.03.2015, 30.04.2015, 22.06.2015, 09.07.2015, 17.08.2015, 17.11.2015, 17.02.2016, 19.04.2016, 19.07.2016, 19.10.2016, 28.12.2016, 28.02.2017, 28.04.2017, 14.10.2017, 20.12.2017, finally posted to April, 2018. In all these days the matter is coming for enquiry and court below neither disposed I.A., nor stopped proceedings in execution petition.”

In the circumstances, it is expedient that the court below shall dispose of present I.A., as expeditiously as possible, in any case, not later than six weeks from the date of receipt of a copy of this order in accordance with law.

The civil revision petition is disposed of accordingly.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:09—03—2018

AVS

