

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 2340 OF 2018

ORDER :

This Revision is filed seeking a direction to the learned Senior Civil Judge at Hindupuramu to dispose of I.A. No. 278 of 2016 in O.S. No. 48 of 2016, expeditiously, as the construction work has been stalled on account of the order of *status quo* granted therein on 29.04.2016.

Heard learned counsel for the petitioner Municipality as well as learned counsel for the respondents.

In the given facts and circumstances, there is no necessity for this Court to delve deep into the matter. It would be suffice to remind the learned Senior Civil Judge the mandate under Order XXXIX of the Code of Civil Procedure and various judicial pronouncements, particularly the judgment of the Supreme Court in **Asian Resurfacing of Road Agency Pvt. Limited v. Central Bureau of Investigation (Crl.A.Nos. 1375-1376 of 2013)**, wherein it has been held that *“in all pending cases where stay against proceedings of a civil or criminal trial is operating, the same will come to an end on expiry of six months from today unless in an exceptional case by a speaking order such stay is extended. In cases where stay is granted in future, the same will end on expiry of six months from the date of such order unless similar extension is granted by a speaking order. The speaking order must show that the case was of such exceptional nature that continuing*

the stay was more important than having the trial finalized. The trial Court where order of stay of civil or criminal proceedings is produced, may fix a date not beyond six months of the order of stay so that on expiry of period of stay, proceedings can commence unless order of extension of stay is produced’.

In view of the above verdict, the Civil Revision Petition is disposed of directing the learned Senior Civil Judge to consider and dispose of I.A.No. 278 of 2016, in accordance with law, on or before 03.05.2018. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

Registry to dispatch a copy of this order to the learned Senior Civil Judge, Hindupuramu forthwith.

13th April 2018

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CHALLA KODANDA RAM, J

