

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.1825 of 2018

ORDER:

This revision is filed against the order dated 05-02-2018 in CMA.No.24 of 2016 wherein and whereby the lower appellate Court dismissed the same by confirming the order dated 14-09-2016 passed in I.A.No.427 of 2016 in O.S.No.405 of 2016 on the file of II Additional Junior Civil Judge, Chittoor.

Learned counsel for the petitioner submits that though both Courts have found that the petitioner is in possession of the suit schedule property, his application was dismissed and the same is confirmed by the lower appellate Court.

On the other hand, learned counsel appearing for respondent submits that both the Courts have found that the petitioner is not in possession of the schedule property and rightly dismissed the application. He also submits that injunction petition is dismissed on 14-09-2016 and during pendency of CMA, there is no injunction order and ultimately the CMA was dismissed on 05-02-2018. From the year 2016 to 2018, there is no injunction operating in favour of the petitioner.

In this case, it is to be seen that injunction application is dismissed by order dated 14-09-2016 in I.A.No.427 of 2016. There is no injunction order operating during pendency of CMA and till it is dismissed on 05-02-2018.

In view of the same, since suit is of the year 2016 and it is stated that pleadings are completed, the Court below is directed to dispose of the suit within a period of four months from the date of receipt of a copy of this order.

With the above direction, the revision is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this revision shall stand closed.

A.RAJASHEKER REDDY,J

04-12-2018

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