

HON'BLE SRI JUSTICE S.V.BHATT

C.R.P. No.1875 OF 2011

ORDER:

Heard learned counsel appearing for parties.

The revision is directed against the order dated 27.04.2011 in I.A. No.189 of 2010 in O.S. No.843 of 2006 on the file of II Senior Civil Judge, City Civil Court, Hyderabad.

The trial Court through the order dated 27.04.2011 held as follows:

“The record reveals that on 09.05.2006 an ex-parte ad-interim injunction was against UCO Bank (sic). The record further reveals that (sic) on 17.12.201 this Court has vacated the ad-interim injunction granted on 09.05.2006 the docket order reads as under:

“Since the main suit is dismissed for default without costs, this petition is also dismissed without costs. The ad-interim injunction granted on 09.05.2006 is hereby vacated.”

Here it is pertinent to mention that thereafter no order of injunction was granted in favour of the plaintiff and against the 1<sup>st</sup> defendant UCO Bank. Therefore, in the circumstances of the case vacating injunction order does not arise since the said order was already vacated by order dt. 17.12.2007. Therefore, no relief can be granted in the present application.

In the result, the petition is dismissed. No costs.”

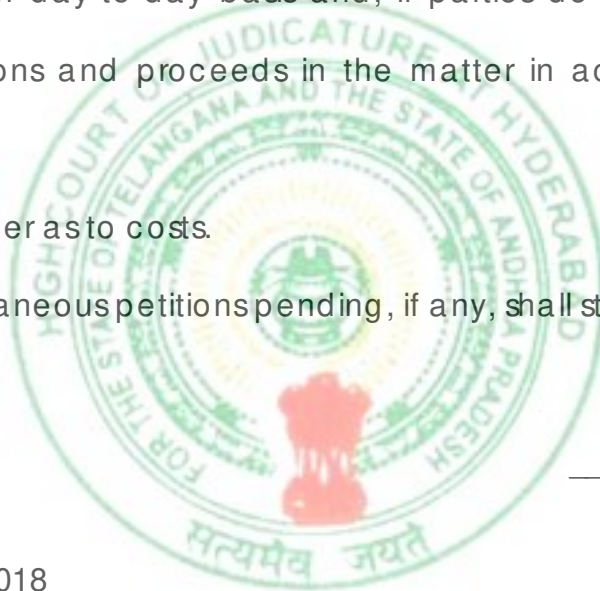
Revision is at the instance of plaintiff. The plaintiff is unable to satisfy this Court that the injunction is revived after the suit is restored. This Court has difficulty in understanding the circumstances under which the present CRP is filed by the plaintiff. To the pointed query of Court, on how the plaintiff/revision

petitioner is aggrieved by the order and that the remedy of revision petitioner is elsewhere viz., before the trial Court, Mr.Vedula Sinivas fairly stated such procedure ought to have been worked out by plaintiff/revision petitioner. Be that as it may, I am satisfied that no ground is made out for interfering with the order under revision. The revision fails and is accordingly dismissed.

The trial Court is directed to dispose of the suit as expeditiously as possible, preferably within two months from the date of receipt of a copy of this order. The trial Court considers taking trial on day-to-day basis and, if parties do not cooperate, records reasons and proceeds in the matter in accordance with law.

No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.



S.V.BHATT, J

Date: 11.09.2018  
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