

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.2138 of 2018

06.04.2018

Between:

Sontineni Shivaji

..Petitioner

and

M/s.Vanitha's Dream Line, Visakhapatnam

..Respondent

Counsel for the petitioner: Mr.P.S.P.Suresh Kumar

Counsel for the respondent: --

The Court made the following:



ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India feeling aggrieved by non-disposal of I.A.No.902 of 2015 in O.S.No.587 of 2012 filed under Order VII Rule 10 C.P.C. for returning the plaint on the ground that the lower Court has no territorial jurisdiction.

2. A perusal of the certified copy of the docket proceedings of the lower Court shows that the aforementioned I.A. was being adjourned from 05.07.2016 on a number of occasions and that on 13.04.2017, the lower Court has referred the said I.A. to the mediation centre.

3. Mr.P.S.P.Suresh Kumar, learned counsel for the petitioner, has submitted that neither the dispute has been settled before the mediation centre nor the lower Court has been disposing of the aforementioned I.A. and that in the meantime, the lower Court has framed issues on 18.01.2018 and posted the suit for trial to 30.01.2018. He has further submitted that the respondent/plaintiff has filed an affidavit in lieu of chief examination and that the suit is being posted for cross examination of the said witness.

4. In my opinion, before proceeding with the trial in the suit, the lower Court ought to have disposed of the aforementioned I.A.

Therefore, the lower Court is directed to dispose of the said I.A. before proceeding further with the trial in the suit.

5. Subject to the above direction, the Civil Revision Petition is disposed of.

6. As a sequel to disposal of the C.R.P., I.A.No.1 of 2018 filed by the petitioner for interim relief stands disposed of as infructuous.

06th April, 2018
GHN

C.V.NAGARJUNA REDDY, J

