

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

C.M.A.No.631 of 2018

JUDGMENT:

This appeal is filed under Order 43 Rule 1 CPC assailing the order dated 25.01.2018 in E.A.No.289 of 2017 in E.P.No.67 of 2016 in O.S.No.30 of 2016 on the file of the Court of I Additional Senior Civil Judge, Rajamahendravaram.

2. Heard the learned counsel appearing for both the parties.

3. A perusal of the record reveals that the first respondent herein filed E.A.No.112 of 2017 against the petitioner and second respondent under Sections 47, 94, 151 and Order XXI Rule 10 CPC. Pending said E.A., the petitioner filed E.A.No.289 of 2017 in E.P.No.67 of 2016 seeking interim injunction. The trial Court allowed the same.

4. At the time of arguments, both counsel submitted that the executing Court may be directed to dispose of E.A.No.112 of 2017 in E.P.No.67 of 2016 in O.S.No.30 of 2016, as expeditiously as possible.

5. In view of the submissions made by both the counsel, this Court is not inclined to express any opinion touching the merits of the main case.

6. In the result, the C.M.A. is disposed of directing the executing Court to dispose of E.A.No.112 of 2017 in E.P.No.67 of 2016 in O.S.No.30 of 2016 on the file of the Court of I

Additional Senior Civil Judge, Rajamahendravaram, as expeditiously as possible, preferably, within a period of three months from the date of receipt of copy of this order. Both counsel assured that their counterpart will cooperate with the executing court for disposal of E.A.No.112 of 2017. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

T.SUNIL CHOWDARY, J

3rd July 2018
Rns



