

SMT JUSTICE T. RAJANI

CIVIL REVISION PETITION No.3006 of 2018

ORDER:

This civil revision petition is filed, under Section 227 of the Constitution of India, seeking for a direction to be given to the Senior Civil Judge, Adilabad to dispose of I.A.No.207 of 2017 in O.S.No.9 of 2011 as early as possible.

2. The 1st respondent herein filed a petition, which was numbered as I.A.No.207 of 2017, seeking for temporary injunction restraining the petitioner herein and others from making any constructions. The court, after receiving the counter filed by the respondents therein, posted the matter for hearing and in the meantime, it ordered *status quo*. Aggrieved by the said order, the petitioner comes before this court on the grounds that the trial court ought to have seen that the suit was filed in the year 2011 and no interim order was passed in favour of the 1st respondent/plaintiff; that the trial was completed and the main suit was coming for arguments and 1st respondent alone was examined as PW1 and had not adduced any supporting evidence to claim share in the suit scheduled property; that the trial court ought to have rejected the I.A., which was filed at the fag end of the suit.

3. Heard both the counsel.

4. There is no quarrel with the fact submitted by the petitioner's counsel that the case is at the stage of arguments. Hence, in such circumstances, a direction can be given to the

lower court to dispose of the suit itself in stead of directing the lower court to dispose of I.A.No.207 of 2017. The grievance of the petitioner that due to the order of *status quo* the constructions that he was making are stopped and he is suffering a lot of hardship would be taken care of by a direction to the court below is directed to dispose of the suit, as expeditiously as possible, preferably within one month, since the suit is at the stage of arguments.

Accordingly, the Civil Revision Petition is allowed. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

July 20, 2018
LMV



T. RAJANI, J