

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO
AND
HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

C.M.A. No.474 of 2018

JUDGMENT: *(Per UDPR,J)*

This Appeal is preferred by the appellants/respondents-defendants aggrieved by the order, dated 02.05.2018 in I.A.No.555 of 2018 in O.S.No.343 of 2018 passed by the learned XI Additional Chief Judge, City Civil Court, Hyderabad, granting interim injunction *ex parte* against the appellants/respondents-defendants.

2) Heard learned Senior Counsel Sri Vedula Venkata Ramana, appearing for the appellants/respondents-defendants and learned Senior Counsel Sri D.Prakash Reddy, appearing for the respondents/petitioners-plaintiffs.

3) During the course of hearing, it is seen that since the interim order was passed *ex parte* and at that time, there was no occasion for the Court to have the benefit of counter allegations of the appellants/respondents-defendants, this Court thought it apposite to give liberty to the appellants/respondents-defendants to approach the Vacation Civil Court and file its counter by serving the copy of the same on the other side in advance and seek for vacation of interim injunction. Learned Senior Counsel for the appellants/respondents-defendants would urge that since the impugned order will have impact on the forthcoming results relating to the examinations of TS EAMCET, NEET etc., that are to be published on 17.05.2018, this Court may be pleased to direct the Vacation Civil Court to take up the matter having regard to its urgency and dispose of the same as expeditiously as possible.

4) Learned Senior Counsel for the respondents/petitioners-plaintiffs reported no objections for this course.

5) In that view of the matter, the appellants/respondents-defendants are given liberty to approach the Vacation Civil Court and file its counter by serving copy of counter in advance to other side, in which case, the Vacation Civil Court shall take up the I.A.No.555 of 2018 in O.S.No.343 of 2018, tomorrow, i.e., 16.05.2018 and hear the arguments of both sides and pass an appropriate order on merits expeditiously. Considering the request of learned Senior Counsel for the appellants/respondents-defendants, liberty is given to the appellants/respondents-defendants to make a request to the Vacation Civil Court to pass a suitable order, pending disposal of final order in I.A.No.555 of 2018, in which case, the Vacation Civil Court may consider the same.

6) Accordingly, this C.M.A is disposed of.

As a sequel thereof, the miscellaneous applications, pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

ABHINAND KUMAR SHAVILI, J

15.05.2018

Pln

Note: Registry is directed to send the copy of this order to the concerned Court by Special Messenger.

(By order)

Pln