

THE HON'BLE SRI JUSTICE SANJAY KUMAR
CIVIL REVISION PETITION No. 3023 of 2018

ORDER:

This Civil Revision Petition under Article 227 of the Constitution is sought to be preferred by the plaintiffs in O.S.No.854 of 2018 on the file of the learned VII Additional Senior Civil Judge, Ranga Reddy District at L.B. Nagar. Their grievance is that the trial Court did not take up I.A.No.384 of 2018 filed by them in the said suit under Order 39 Rules 1 and 2 C.P.C. seeking an interim injunction restraining the defendants in the suit from installing supply connections of power and oil machinery equipments in the suit schedule property.

Perusal of the docket proceedings placed before this Court reflects that the suit was filed on 01.05.2018 and was registered on the same date. The first hearing date was fixed as 23.07.2018.

Sri B. Devadas, learned counsel for the petitioners/plaintiffs, does not dispute the fact that the suit was filed in the usual course and was not moved by way of an out of order motion. In the event the petitioners/plaintiffs felt any urgency, they ought to have resorted to filing of the suit along with the injunction petition through an out of order motion. Having failed to do so and having filed the suit in the usual course, the petitioners/plaintiffs can have no legal grievance with regard to the suit being numbered in the usual course and the first date of hearing being fixed accordingly.

The Civil Revision Petition is therefore dismissed on this short ground leaving it open to the petitioners to move the trial Court in accordance with the due procedure, if there is any urgency.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

Date: 08.06.2018
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