

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

CIVIL REVISION PETITION No.3871 of 2018

ORDER :

This Civil Revision Petition is filed by the petitioners/Defendant Nos.1 to 5 seeking a direction to the learned Agent to Government, Bhadradi, Kothagudem District, to consider and dispose of I.A.No.86 of 2017 in I.A.No.67 of 2017 in O.S.No.177 of 2017.

Heard the arguments of the learned counsel for the petitioners/defendant Nos.1 to 5 and the Civil Revision Petition is being disposed of at the stage of admission.

Respondent No.1 filed a suit in O.S.No.177 of 2017 for partition against the petitioner Nos.1 to 5. The suit was decreed exparte on 08.09.2017. Aggrieved by the same, the petitioners have filed I.A.No.85 of 2017 condone delay petition for preferring a petition to set aside the said exparte decree passed against them. They have also filed I.A.No.86 of 2017 seeking stay of execution of the warrant of commission issued in I.A.No.67 of 2017 in O.S.No.177 of 2017. The said applications are being adjourned from time to time without any progress. Therefore, the petitioners are before this Court for a direction to the Court below to dispose of the said applications quickly.

On consideration of the material on record and the submissions of the learned counsel for the

petitioners/defendant Nos.1 to 5, this Court is of the considered view that if a direction is given to the trial Courts in cases like this, it may be difficult for the Courts below to cope up with their priorities. However, since it is the right of the parties to seek for quick disposal of the cases, the authorities concerned shall bear in mind the same and take steps for expeditious disposal of the cases.

In the light of the facts and circumstances of the case, as the relief sought for by the petitioners/defendant Nos.1 to 5 is only against the Court below for quick disposal of I.A.No.86 of 2017, it is not necessary to give any notice to the respondents. No doubt, this Court is not inclined to give any direction to the Court below to dispose of the application, expeditiously. However, the petitioners may move a petition before the Court below for disposal of interlocutory applications pending on its file and the Court below shall consider the same in accordance with law.

With the above observations, the Civil Revision Petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

28.09.2018.
Msr

GUDISEVA SHYAM PRASAD, J

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