

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.3830 of 2018

ORDER:

This civil revision petition was moved by way of a Lunch Motion on 06.07.2018.

The petitioners are defendants 13 and 14 in O.S.No.2455 of 2008 on the file of the learned II Senior Civil Judge, Ranga Reddy District at L.B.Nagar. The revision arose out of the interim injunction passed against them by the trial Court on 03.07.2018 in I.A.No.341 of 2018 in O.S.No.2455 of 2008.

Though the order in question is appealable under Order 43 Rule 1 CPC, this Court entertained the civil revision petition under Article 227 of the Constitution, being of the opinion that the said order required examination in the context of the judicial superintendence that this Court exercises over the trial Court and granted interim suspension as prayed for, *vide* order dated 06.07.2018.

Mr. M.V.Pratap Kumar, learned counsel, entered appearance for the first respondent, the plaintiff in the suit, and filed a petition to vacate the aforestated order.

While matters stood thus, Ms. L.Vani, learned counsel representing Mr. A.Venkatesh, learned counsel for the petitioners/defendants 13 and 14, and Mr. M.V.Pratap Kumar, learned counsel for the first respondent/plaintiff, stated before this Court that as the matter is coming up before the trial Court on 19.07.2018, it would be appropriate that the parties address all the relevant issues before the trial Court when the subject I.A. is taken up for hearing on the said date.

Ms. L.Vani, learned counsel, would undertake before this Court that the petitioners/defendants 13 and 14 would not make further alienations till the disposal of the I.A. by the trial Court.

In the light of these fair concessions made by the learned counsel, this civil revision petition is disposed of setting aside the interim injunction dated 03.07.2018 in I.A.No.341 of 2018 in O.S.No.2455 of 2008 and directing the trial Court to consider the rival contentions of the parties on 19.07.2018 when the subject I.A. is taken up for hearing and thereafter pass appropriate reasoned orders therein in accordance with law. The trial Court shall not adjourn the hearing of the subject I.A. without due cause and shall endeavour to conclude hearing of arguments therein at the earliest. The subject I.A. shall be disposed of by the trial Court within one week from the date of hearing arguments therein.

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



SANJAY KUMAR,J

Date:13.07.2018

Note:

Furnish C.C. by 16.07.2018

(B/o)

GJ