

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.3909 OF 2018

ORDER:

This civil revision petition is filed by the petitioner-defendant, under Article 227 of the Constitution of India, assailing the order dated 30.4.2018 passed in I.A.No.1860 of 2015 in O.S. No.533 of 2012 on the file of the Court of ii Additional Chief Judge, City Civil Court, Hyderabad.

2. A perusal of the record reveals that the petitioner herein earlier filed CRP No.4531 of 2015 assailing the order dated 03.11.2014 passed in I.A.No.1407 of 2014 in O.S.No.533 of 2012 (same suit), wherein this Court passed the following interim order on 20.11.2015:

Notice before admission.

There shall be interim stay, as prayed for, on condition of the petitioner depositing a sum of Rs.9,41,750/- (Rupees nine lakhs forty one thousand seven hundred and fifty only) towards arrears of rent within a period of two weeks from today and shall continue to pay the rent at the rate of Rs.15,000/- (Rupees Fifteen thousand only) per month. On such deposit, the respondent is permitted to withdraw the same.

Post after two weeks.

3. At the time of hearing, learned counsel for both the parties submitted that the trial Court passed the impugned order, without considering the interim order in CRP No.4531 of 2015. Both the counsel, in one voice, submitted that the impugned order may be set aside and the matter may be remanded to the trial Court for passing fresh order in I.A.No.1860 of 2015. In view of the said submission, this Court is not inclined to express any opinion with regard to the impugned order.

4. In the result, the civil revision petition is allowed, setting aside the order dated 30.4.2018 passed in I.A.No.1860 of 2015 in O.S. No.533 of 2012 on the file of the Court of ii Additional Chief Judge, City Civil Court, Hyderabad. The trial Court is hereby directed to dispose of I.A.No.1860, in accordance with law, keeping in view the order dated 20.11.2015 in CRP No.4531 of 2015, within a period of two months from the date of receipt of a copy of this order. Miscellaneous petitions if any pending in this revision petition shall stand closed.

Date: 18.7.2018
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T.SUNIL CHOWDARY, J.

